THE

IGNORANT PHILOSOPHER,

TRANSLATED FROM THE FRENCH OF

MR. DE VOLTAIRE,

BY THE

REV. DAVID WILLIAMS.

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THE

THE IGNORANT PHILOSOPHER.

I.

First Queſtion.

WHO art thou? Whence doſt thou come? What is thy buſineſs? What will become of thee? Theſe are queſtions, which ſhould be put to every being in the univerſe; but to which none of us replies. I enquire of plants, what virtue occaſions their growth; and how the ſame ſoil produces fruits ſo different from each other? Theſe beings, inſenſible and mute, though enriched with a divine faculty, leave me to my ignorance and my vain conjectures.

I interrogate that croud of animals, who are endowed with motion and the power of communicating it; who enjoy the ſame ſenſations with myſelf; who have ſome ideas, ſome memory, and all the paſſions. They know, even leſs than I do, what they are, why they exiſt, and what will become of them?

I ſuſpect; I have even reaſon to believe, that the planets, the innumerable ſuns* which repleniſh ſpace, are peopled with ſenſible and thinking beings. But an eternal barrier divides us; and none of thoſe inhabitants of other globes have had any communication with us.

In a work, intitled *Spectacle de la Nature*, or *Nature diſplayed*, the prior ſays to the knight, that the ſtars were made for the earth, and that the earth as well as the animals, were made for man. But as the little globe of earth moves with the other planets round the ſun; as the regular and proportionate motions of the ſtars might eternally take place, if there were no men exiſting; as there are on our little planet, a number of animals infinitely greater than of men, I thought that the prior had too much ſelf-love, in flattering himſelf that every thing had been made for him. I ſee that man, while alive, would be devoured by all animals, if he were without defence; and that all devour him even after his death. I have, therefore, had ſome difficulty in believing that the prior and the knight were ſovereigns of nature. A ſlave to every thing around me, inſtead of being a king; confined to a point, and ſurrounded by immenſity, I begin by ſearching into myſelf.

II.

Our Weakneſs.

I AM a weak animal. I come into the world, without knowledge, ſtrength, or inſtinct. I cannot even crawl to my mother's breaſt, like every other quadruped. I acquire a few ideas, only as I acquire

* This is tranſlated literally; though it can hardly be imagined that Mr. de Voltaire ſhould ſuppoſe ſuns inhabited. T.

a little

a little ſtrength, when my organs begin to develop themſelves. This ſtrength encreaſes in me, until having attained a certain degree, it daily decreaſes. The power of conceiving ideas encreaſes in the ſame manner to a certain degree, and then inſenſibly vaniſhes.

What is the nature of that mechaniſm which from one moment to another encreaſes the ſtrength of my members to a preſcribed boundary? I know not: and thoſe who have ſpent their lives in ſearch of this cauſe, know no more of it than I do.

What is that other power which introduces images into my brain; which preſerves them in my memory? Thoſe who are paid for this knowledge have ſought it in vain. We are all as ignorant of firſt principles as we were in our cradles.

III.

How am I to think?

Have I been taught any thing by the books that have been written for two thouſand years? Sometimes a wiſh will ariſe in us to know how we think, though we ſeldom feel an inclination to know how we digeſt, or how we walk. I have interrogated my reaſon, and aſked what it is? The queſtion has always confounded it.

I have tried to diſcover by it if the ſame ſprings which enable me to digeſt or to walk, are thoſe by which I have ideas. I have never been able to conceive how, or wherefore theſe ideas fled when hunger made my body languiſh, and how they ſprung up again when I had eaten. I have obſerved ſo great a difference between my thoughts and my nouriſhment, without which I ſhould not think, that I have believed there was a ſubſtance in me which reaſon-

ed, and another ſubſtance which digeſted. However, on endeavouring always to prove to myſelf that we are two, I palpably felt that I am only one; and that contradiction has always given me extreme pain.

I have aſked ſome of my fellow creatures who cultivate the earth, our common mother, with great induſtry, if they felt themſelves double beings; if they had diſcovered by their philoſophy, that they poſſeſſed within them an immortal ſubſtance and yet formed of nothing, exiſting without extent, acting on their nerves without touching them, and actually ſent into their mother's womb ſix weeks before their conception? They thought I was laughing at them, and went on with their labor without making me any anſwer.

IV.

Is it neceſſary I ſhould know?

SEEING therefore, that a prodigious number of men had not even the leaſt idea of the difficulties which gave me uneaſineſs, and did not perplex themſelves with what was ſaid in the ſchools, of being in the abſtract, of matter and ſpirit, &c. obſerving that they often diverted themſelves with what I was deſirous of knowing, I ſuſpected it was not neceſſary that we ſhould know them. I thought nature had given to every being the portion that is proper for him; and I believed that thoſe things which we could not obtain were not deſigned for us. But notwithſtanding this deſpondency, I cannot ſuppreſs the deſire of being inſtructed; and my diſappointed curioſity is ever inſatiable.

V. *Ari-*

V.

Ariſtotle, Deſcartes and Gaſſendi.

ARISTOTLE begins by ſaying, that incredulity is the ſcource of wiſdom. Deſcartes has extended this opinion; and both have taught me not to believe any thing they ſay to me. Deſcartes particularly, after having ſeemed to doubt, ſpeaks in a tone ſo deciſive of what he does not underſtand; he is ſo ſure of his fact, when he groſsly deceives himſelf in phyſics; he fabricates a world ſo entirely imaginary; his vortices and his three elements are ſo extremely ridiculous, that I ought to ſuſpect every thing he ſays to me of the ſoul, after having ſo greatly deceived me in regard to bodies. Let his memory be loaded with praiſes, provided there be none beſtowed on philoſophical romances, conſigned at this time to contempt by all Europe.

He believes, or he feigns to believe, that we are born with metaphyſical ideas. I would as ſoon ſay that Homer was born with the Iliad in his head. It is very true, that Homer when he came into the world, had a brain ſo conſtructed, that having afterwards acquired poetic ideas, ſome beautiful, ſome incoherent, ſome exaggerated, he at laſt compoſed the Iliad. We bring with us into the world the ſeed of what is afterwards unfolded in us; but we have no more innate ideas, than *Raphael* or *Michael Angelo* had pencils and colours in their heads at their birth.

Deſcartes ... order to unite the ſcattered parts of ... poſed that man always thinks. I ... gine, that the birds always fly, or that

that dogs always run, becauſe the former have the faculty of flying, and the latter of running.

By ſlightly conſulting our own experience and that of human nature, we may be fully convinced of the contrary. There is no man fooliſh enough to believe firmly that he has been thinking all his life day and night, without interruption, from the time of being a fœtus to that of his laſt illneſs. The reſource of thoſe, who have been deſirous of defending this romance, has been to ſay, that we always think, but that we do not always perceive it. It would avail as much to ſay, we drink, eat, and ride, without knowing it. If you do not perceive that you have any ideas, how can you affirm that you have them? Gaſſendi very properly diverted himſelf with this ſyſtem. Do you know the conſequence? Gaſſendi and Deſcartes were conſidered as Atheiſts becauſe they reaſoned.

VI.

Beaſts.

WHILE men were ſuppoſed to have uninterrupted ideas, perceptions and conceptions, it naturally followed that beaſts had them alſo; for it cannot be diſputed that a dog has an idea of the maſter he obeys, and of the game that he brings him. It is evident he has memory, and that he combines ſome ideas. Thus therefore, if thought in man were the eſſence of his ſoul, thought in a dog would alſo be the eſſence of his ſoul: and if man were always to have ideas, animals alſo would have them always. In order to remove this difficulty, the fabricator of vortices and fluted matter, ventured to aſſert that brutes were mere machines, who ſought food without having an appetite; who had the organs of ſentiment

timent without experiencing the leaſt ſenſation; who cried without pain; who teſtified their pleaſure without joy; who poſſeſſed a brain which was not to receive the ſlighteſt idea; and who were thus perpetual contradictions to nature.

This ſyſtem was as ridiculous as the other; but inſtead of convincing him of its extravagance, he was treated as impious. It was pretended that this ſyſtem contradicted the holy ſcriptures, which ſay, in the book of Geneſis, "that God has made a covenant with the beaſts, and that he will require of "them the blood of thoſe men whom they have "mangled and eaten." This manifeſtly ſuppoſes, that beaſts have intelligence, and a knowledge of good and evil.

VII.

Experience.

WE ſhould never mingle the Holy Scriptures with our philoſophical diſputes; they are things too heterogeneous, and have no relation to each other. Our intention here is to examine only what we can diſcover ourſelves, and this will be reduced to a very little quantity. We muſt renounce common ſenſe, or allow that we know nothing but by experience; and certainly if it be by experience only, by a ſeries of trials and of long reflection, that we acquire ſome feeble and ſlight ideas of body, of ſpace, of time, of infinity, and even of God; it is not that the Author of nature has placed theſe ideas in the brain of every fœtus, in order that a ſmall number of men ſhould afterwards make uſe of them.

In regard to the objects of our knowledge, we are all like the ignorant lovers, Daphnis and Chloé, whoſe amours and vain attempts Longus has deſcribed

ſcribed to us. They took up much time to imagine how they ſhould gratify their deſires, becauſe they had no experience. The ſame thing happened to the emperor Leopold, and to a ſon of Louis XIV. It was neceſſary they ſhould be inſtructed. If they had any innate ideas, it is not to be imagined that nature would have with-held from them the principal, the only one neceſſary to the preſervation of the human ſpecies.

VIII.

Subſtance.

NOT having any idea but by experience, it is not poſſible we ſhould ever know what matter is. We touch, and we ſee the properties of that ſubſtance. But even the word ſubſtance, *that which is beneath*, gives us ſufficient reaſon to think that this thing beneath will be unknown to us for ever: whatever we diſcover of its appearance, this ſubſtance, this thing beneath, will ever remain to be diſcovered. By the the ſame reaſon we ſhall never know of ourſelves what is ſpirit. It is a word which originally ſignified *breath*, and by the uſe of which we endeavour to expreſs vaguely and groſsly that which gives us thoughts. But if even by a miracle, which is not to be expected, we ſhould have ſome ſlight idea of the ſubſtance of this ſpirit, we ſhould not be further advanced; and we could never imagine how this ſubſtance received ſentiments and thoughts. We know well that we have a little intelligence; but how do we acquire it? It is a ſecret of Nature; ſhe has not divulged it to any mortal.

IX. *Con-*

IX.

Confined Limits.

OUR intelligence is very confined as well as the ſtrength of our bodies. There are men much more robuſt than others; there may be alſo a Hercules in regard to thought. But, in fact, this ſuperiority is a trivial thing. One man may lift up ten times the quantity of matter I do: another can without paper make a diviſion of fifteen figures, while I can only divide three or four with extreme difficulty. To this is the force ſo much boaſted of reduced: it ſoon approaches its limits; and therefore, in games of combination, no man, after having trained himſelf by the utmoſt application and by a long habit, can get beyond the degree which he has power to reach. He is aſtoniſhed at the boundaries of his intelligence. It is abſolutely neceſſary it ſhould be ſo; for we ſhould otherwiſe go from degree to degree, even to infinity.

X.

Impoſſible Diſcoveries.

IN the ſmall circle where we are confined, let us ſee therefore what we are condemned to be ignorant of, and what we may have a little knowledge of. We have already ſeen that we cannot lay hold of any firſt ſpring, or any firſt principle.

Wherefore does my arm obey my will? We are ſo accuſtomed to this incomprehenſible phenomenon, that

that very few attend to it; and when we wiſh to find out the cauſe of an effect ſo common, we find that there is really an infinity between our will and the obedience of our members; *i. e.* there is no proportion between the one and the other, no reaſon, no appearance of cauſe; and we feel that we may think to eternity without being able to imagine the leaſt ſhade of probability.

XI.

Deſpair.

THUS ſtopped in our firſt ſteps, and vainly relying on ourſelves, we are frightened out of the employment of ſeeking, when we can never find ourſelves. There are none even of our ſenſes which can be explained.

With the aſſiſtance of triangles we obtain ſomething like knowledge that the ſun and the earth are about thirty millions of our great geometrical leagues from each other: but what is the ſun? why does it turn on its axis? and why in one ſenſe rather than another? And why does Saturn as well as our globe turn round this ſtar, from weſt to eaſt, rather than from eaſt to weſt? We ſhall not only never be ſatisfied in regard to this queſtion, but we ſhall never perceive the leaſt poſſibility of even imagining a phyſical cauſe. Why? Becauſe the knot which occaſions this difficulty is among the firſt principles of things.

It is the ſame in regard to that which acts within us, as to that which acts in the immenſe ſpace of nature. There is in the arrangement of the ſtars, and in the conformation of a hand-worm or of man, a firſt principle, an approach to which muſt neceſſarily be forbidden to us: for if we could obtain the

knowledge of that firſt principle, we ſhould be its maſters; we ſhould be gods! Let us throw light on this idea, and ſee if it be true.

Let us ſuppoſe that we have found the cauſe of our ſenſations, of our thoughts, of our motions, as we have diſcovered in the planets the reaſons of eclipſes, and of the different phaſes of the moon, and of Venus; it is evident we ſhould then foretell our ſenſations, our thoughts, our deſires reſulting from thoſe ſenſations, as we foretell the phaſes and eclipſes. Having therefore the knowledge of what would happen within us to-morrow, we ſhould clearly ſee by the play of this machine in what manner we ſhould be affected, whether agreeably or fatally. It is allowed that we have a will that directs our inward motions in many circumſtances. For example, I feel myſelf diſpoſed to wrath; my reflection and my will repreſs its firſt motions. If I had a knowledge of my firſt principles, I ſhould know all the affections to which I ſhall be diſpoſed to-morrow; the whole ſeries of ideas that await me. I might have the ſame power over this ſeries of ideas and ſentiments as I ſometimes exerciſe over the ſentiments and actual thoughts which I divert and repreſs. I ſhould find myſelf exactly in the caſe of a man who could retard or accelerate at his will the motion of a watch, of a ſhip, or of any other known machine.

On this ſuppoſition, being maſter of the ideas deſigned for me to-morrow, I ſhould be ſo likewiſe for the following day, and even for the remainder of my life. I might then be all-powerful with regard to myſelf. I ſhould be to myſelf a god. I feel plainly that this ſtate is incompatible with my nature. It is therefore impoſſible that I ſhould know any thing of the firſt principle which enables me to think and act.

XII. *Hu-*

XII.

Human Weakneſs.

THAT which is impoſſible to my nature, ſo weak, ſo limited, and of ſo ſhort duration, is it alſo impoſſible in other globes in other ſpecies of being? Are there ſuperior intelligences, who have all their ideas at command, and who think and feel as they pleaſe? I am entirely ignorant in this caſe. I know only my own weakneſs; I have no idea of the power of others.

XIII.

Am I free?

LET us not go beyond the circle of our exiſtence, but perſevere in examining ourſelves as far as we are able. I remember that one day, before I had put all the preceding queſtions, a reaſoner would have induced me to reaſon. He aſked me, if I was free? I anſwered, that I was not in priſon; that I had the key of my chamber; that I was perfectly free. That is not what I aſk you, he ſaid to me; do you believe your will is at liberty to deſire, or not to deſire, that you ſhould throw yourſelf out at the window? Do you think, with the angel of the ſchool, that a free choice is an appetitive power, and that a free choice is loſt by ſin? I looked attentively at my man, and endeavoured to ſee in his eyes whether he was out of his mind; and I anſwered him, that I underſtood nothing of his jargon.

However,

However, the queſtion concerning the liberty of man greatly intereſted me. I conſulted the ſchool-men, and, like them, I continued in darkneſs. I conſulted Locke, and I perceived ſome rays of light. I read Collins's Treatiſe, which appeared to be the works of Locke perfected; and I have not read any thing ſince, which has given me a greater degree of knowledge. This is what has been conceived by my feeble reaſon, aided by theſe two great men; the only perſons in my opinion, who, in writing on this ſubject, have underſtood themſelves, and the only perſons who have made themſelves underſtood by others.

There is nothing without a cauſe. An effect without a cauſe is an abſurdity. Whenever I wiſh or deſire, it muſt be in conſequence of my judgment, good or bad; this judgment is neceſſary, therefore my will is alſo neceſſary. Indeed, it would be very ſingular, that all nature, that all the planets, ſhould obey eternal laws, and that there ſhould be a little animal, five feet high, who, in defiance of theſe laws, could act as he pleaſed, at the meer direction of his own caprice. He muſt act by chance, and chance is nothing. We have invented the word to expreſs the known effect of cauſes unknown.

My ideas neceſſarily enter my brain. How can my will, which depends on thoſe ideas, be at the ſame time neceſſitated and abſolutely free? I feel, on a thouſand occaſions, this will can effect nothing; as when a diſorder overwhelms me, when paſſion tranſports me, when my judgment cannot comprehend the objects which are preſented to me, &c. I ought therefore to ſuppoſe, that the laws of nature being always the ſame, my will is not more free in things which appear to me moſt indifferent, than in thoſe wherein I find myſelf impelled by an invincible force.

To be truly free, is to have power. When I can do what I wiſh, I am at liberty: but I neceſſarily wiſh what I wiſh; otherwiſe I wiſh without reaſon, without cauſe,

cauſe, which is impoſſible. My liberty conſiſts in walking when I am inclined to walk, and when I have not the gout.

My liberty conſiſts in not doing a wicked action when my mind neceſſarily repreſents it as wicked; to ſubdue a paſſion, when my mind makes me perceive the danger of it, and when the horror of the action powerfully combats my deſire. We may repreſs our paſſions; (as I have already ſignified No. IV.) but then we are not the more free in repreſſing our deſires, than when we ſuffer ourſelves to be led away by our inclinations: for, in the one caſe as well as in the other, we irreſiſtibly follow our laſt idea, and this laſt idea is neceſſary. I therefore neceſſarily do what it dictates to me. It is ſtrange that men ſhould not be content with this meaſure of liberty; i. e. with the power they have received from nature, to do in many caſes what they chooſe. The planets have not this power; we poſſeſs it; and our pride induces us ſometimes to think, that we poſſeſs ſtill more. We imagine, that we have the incomprehenſible and abſurd gift of wiſhing without reaſon, and without any other motive than that of wiſhing. See Number XXIX.

I cannot pardon Dr. Clarke for having artfully combated theſe truths while he felt the force of them, and which could not be well accommodated to his ſyſtems. No, it is not to be allowed in ſuch a philoſopher to attack Collins in the manner of a ſophiſt, to change the ſtate of the queſtion by reproaching Collins with calling man *a neceſſary agent*. Agent or patient what does it ſignify? Agent when he moves voluntarily; patient when he receives ideas. What effect has the name on the thing? Man is, in all things, a dependent being, as all nature is dependent; and he cannot be excepted from all other beings.

In Samuel Clarke, the preacher has ſtifled the philoſopher. He diſtinguiſhes phyſical neceſſity from moral

moral neceſſity. And what is moral neceſſity? It may appear probable to you that a queen of England, who is crowned, and has the holy oil poured on her head in a church, will not take off her royal robes to lay herſelf quite naked on the altar, although an adventure of a ſimilar kind is related of a queen of Congo. You call that a moral neceſſity in a queen of our climate; but it is in fact a phyſical and eternal neceſſity, ariſing from the conſtitution of things. It is as certain that this queen will not commit ſuch folly, as it is that ſhe will one day die. Moral neceſſity is only a word; every thing which is done is abſolutely neceſſary. There is no medium between neceſſity and chance; and you know there is no chance; therefore every thing that comes to paſs is neceſſary.

To embarraſs the thing further, a diſtinction has been imagined between neceſſity and conſtraint; but is conſtrain any thing but a degree of neceſſity which we perceive; or is neceſſity any thing but conſtraint that is unperceived? Archimedes is equally neceſſitated to continue in his room when ſhut in, and when ſo entirely occupied by a problem, as not to admit the idea of going out.

Ducunt volentem fata, nolentem trahunt.

The fates lead thoſe who are willing, and drag thoſe who are unwilling.

The poor ignorant philoſopher who now thinks thus, has not always thought in the ſame manner, but he is at length compelled to yield.

XIV.

Are all Things eternal?

SUBJECTED to general laws, like all the worlds which fill the general ſpace, like the elements, animals and plants, I direct my aſtoniſhed eyes to all that ſurround me. I ſeek to know what kind of being is my Author, and the Author of that immenſe machine, in which I am ſcarcely a perceptible wheel.

I am not ſprung from nothing; for the ſubſtance of my father and that of my mother who carried me nine months in her womb, is ſomething. It is evident to me, that the ſeed which produced me, could not have been produced by nothing; for how can nothing produce exiſtence? I feel myſelf ſubdued by that maxim of all antiquity, *Nothing comes from nought, nothing can return to nought.* That axiom carries in it a force ſo dreadful, that it chains down my whole underſtanding, ſo that I cannot contend with it. No philoſopher has ever departed from it; no legiſlator whatever has diſputed it. The *Cahut* of the Phœnicians, the *Chaos* of the Greeks, the *Tohu-bohu* of the Chaldeans and the Hebrews, all prove that the eternity of matter has always been believed. My reaſon, deceived by an idea ſo ancient and ſo general, tells me, that matter muſt be eternal, becauſe it exiſts; that if it exiſted yeſterday it exiſted before. I do not perceive any appearance of its having commenced to be; any cauſe by which it has not exiſted; any cauſe by which it has received its exiſtence at one time rather than another. I yield therefore to this conviction, whether it be properly founded or be erroneous, and I fall into my rank with the whole world, until, having

having advanced in my enquiries, I find a light ſuperior to the judgment of all men, which obliges me to retract againſt my inclination.

But if (as ſo many philoſophers of antiquity have taught) the eternal being has always acted, what will become of the *Cahut* and *Erebus* of the Phœnicians; the *Tohu-bohu* of the Chaldeans; the Chaos of Heſiod? They will remain among the fables. A Chaos is a thing impoſſible in the eyes of reaſon; for it is impoſſible that intelligence being eternal, there ſhould ever have been any thing in oppoſition to the laws of that intelligence. Now a Chaos is directly oppoſed to all the laws of nature. Enter into the moſt horrid cavern of the Alps; under the ruins of rocks, of ice, of ſand, of waters, of chryſtals and minerals unformed; they all ſubmit to the laws of gravitation and hydroſtatics. A Chaos has never exiſted but in our heads, and has only ſerved Heſiod and Ovid in compoſing beautiful verſes.

If our Holy Scripture has ſaid that Chaos exiſted; if the *Tohu-bohu* has been adopted by it; we believe it without doubt and with the moſt lively faith. We are here ſpeaking only according to the deceitful lights of our own reaſon. We are limited in our obſervations, as we have already ſaid, to what we ourſelves may ſuſpect. We are infants, who attempt to take a few ſteps without leading-ſtrings. We move, we fall, and faith takes us up again.

XV.

Intelligence.

BUT in obſerving the order, the prodigious art, the mechanical and geometrical laws, which govern the uinverſe; the means, and the innumerable ends of all things, I am ſeized with admiration and with re-

ſpect. I inſtantly judge, that if the works of men, and even my own, oblige me to acknowledge an intelligence within us, I ought to acknowledge an intelligence much ſuperior, actuating the multitude of ſo many works. I admit that ſupreme intelligence, without fear that I ſhall ever be obliged to change my opinion. Nothing endangers or affects this axiom in me; every work demonſtrates a workman.

XVI.

Eternity.

IS this intelligence eternal? Without doubt. For whether I have admitted or rejected the eternity of matter, I could not reject the eternal exiſtence of its ſupreme artizan; and it is evident, if it exiſts at this time, it has ever exiſted.

XVII.

Incomprehenſibility.

I HAVE yet only made a few ſteps in a vaſt carreer. I wiſh to know, whether this divine intelligence be ſomething abſolutely diſtinct from the univerſe, nearly as the ſculptor is diſtinguiſhed from the ſtatue; or whether this ſoul of the world be united to it and penetrates it, nearly as what I call my ſoul is united to my body, and according to that opinion of antiquity ſo well expreſſed by Virgil and Lucan.

Mens

Mens agitat molem, & magno ſe corpore miſcet.
Jupiter eſt quodcumque vides quocumque moveris.

Mind actuates the general maſs, and mingles with the great body of the world. Jupiter is whatever you behold; and wherever you move.

I FIND myſelf ſuddenly ſtopped in my vain curioſity. Miſerable mortal! If I cannot diſcover my own intelligence; if I cannot know that which animates me; how can I have any knowledge of that ineffable intelligence who preſides evidently over all matter? There is ſuch an intelligence, every thing demonſtrates it to me; but where is the compaſs that will conduct me towards his eternal and unknown abode?

XVIII.

Infinity.

IS this intelligence infinite in power and immenſe, as it is inconteſtably infinite in duration? I cannot know any thing of this matter, by myſelf. There is ſuch intelligence exiſting, therefore it has ever exiſted; that is clear. But what idea can I have of infinite power? How conceive infinity actually exiſting? How can I imagine ſupreme intelligence in a void? An infinity of extent is very different from an infinity of duration. Infinity of duration extends to the very moment I am ſpeaking of it. In this I cannot be miſtaken. I can add nothing to that duration which is paſſed; but I can always add to the ſpace which I conceive, as I can always add to any numbers I conceive. Infinity in numbers, or in extent, is beyond the ſphere of my underſtanding. Whatever may be ſaid to me, nothing gives me light in this abyſs. I feel, very happily, that my difficul-

ties and my ignorance, can be of no prejudice to morals. We may in vain have attempted to conceive, of ſpace which is immenſe, and yet filled, or of infinite power which has created every thing, and which may ſtill be able to create; this may ſerve only to prove gradually the weakneſs of our underſtanding; and that weakneſs will only render us more ſubmiſſive to that eternal being, whoſe work we are.

XIX.

My Dependance.

WE are his work. This is to us an intereſting truth. For to know, by means of philoſophy, at what time he made man, what he was employed in before, whether he exiſts in matter, in empty ſpace, or in a point, whether he is or is not always in action, whether he acts every where, whether he acts within or without himſelf; theſe are reſearches which redouble in me the conſciouſneſs of my profound ignorance.

I even ſee, that there have been hardly a dozen men in Europe, who have written on theſe abſtracted things with any degree of method; and were I even to ſuppoſe they had ſpoken in an intelligible manner, what would be the reſult? We have already obſerved [Queſtion IV.] that thoſe things which ſo few perſons can flatter themſelves with underſtanding, are uſeleſs to the reſt of mankind. We are certainly the work of God; that is a truth, which it may be of uſe for me to know; and the evidence of it is palpable. All things in my body, are means and ends. All there conſiſt of ſprings, pulley, moving power, hydraulic machine, equilibrium of fluids, chemical laboratory. It is therefore arranged by intel-

intelligence. [Queſt XV.] It is not the intelligence of my parents, to which I am indebted for this arrangement; for aſſuredly they did not know what they did, when they produced me; they were only the blind inſtruments of that eternal fabricator, who animates the worm of the earth, and who makes the ſun to revolve on its axis.

XX.

Eternity again.

SPRUNG from ſeed, produced by other ſeed—Has there been a conſtant ſucceſſion, an endleſs developement of theſe ſeeds, and has not all nature ever exiſted as a neceſſary effect of that Supreme Being, who exiſted of himſelf? If in this caſe, I were to credit only my feeble underſtanding, it would appear to me that nature has always been animated. I cannot conceive, that the cauſe which acts continually and viſibly upon her, as it has at all times been able to act, ſhould not have acted at all times. An eternity of idleneſs in an active and neceſſary being, ſeems to me incompatible. I am led to believe, that the world has always proceeded from that primitive and eternal Being, as light proceeds from the ſun. By what chain of ideas do I find myſelf led to believe, that the works of the eternal Being are eternal? My conception, wholly puſilanimous as it may be, hath ſufficient force to riſe to a Being neceſſarily exiſting by himſelf; but not enough to conceive of non-exiſtence. The exiſtence of a ſingle atom proves to me, the eternity of exiſtence; but nothing can give me the idea of non-exiſtence. How! Is it poſſible, that ſpace ſhould have had *nothing*, which is now occupied by ſomething? This appears to me incomprehenſible. I cannot admit this *nothing*; at leaſt,

till Revelation aſſiſts me in fixing my ideas, which carry me beyond time.

I know very well, that an infinite ſucceſſion of beings, who have had no origin, is alſo abſurd. This has been ſufficiently demonſtrated by Samuel Clarke. But he does not even venture to affirm, that God has not held this chain from all eternity; he does not dare to ſay, that it continued long impoſſible for a Being eternally active to diſplay that activity. It is evident, that it was in his power; and if in his power, who will ſay that he has not acted? Once more, it is Revelation alone can teach me the contrary. But we have not yet that Revelation which deſtroys all philoſophy; or that light before which all other light diſappears.

XXI.

My Dependence again.

THIS eternal Being, this univerſal cauſe, gives me my ideas; they are not given me by objects. Unintelligent matter cannot ſend thoughts into my head. My thoughts do not come from myſelf; for they come againſt my will, and often fly off in the ſame manner. We know very well, there is no reſemblance, no relation between objects, our ideas, and our ſenſations. There was, in truth, ſomething very ſublime in that Mallebranche, who had the ſpirit to pretend that we ſee every thing in God himſelf. But was there nothing ſublime in the Stoicks, who thought it was God that acted within us, and that we poſſeſs a ray of his ſubſtance. Between the reveries of Mallebranche, and the reveries of the Stoicks, where are we to find reality? I ſink again [Queſt. II.] into ignorance, which is the appendage of my nature; and I adore the God by whom I think, without knowing how I think.

XXII.

A new Queſtion.

CONVINCED, by the little reaſon I poſſeſs, that there is a neceſſary, eternal, and intelligent Being, from whom I receive my ideas, without being able to divine either how or wherefore, I aſk, what is this being? Whether he has formed a ſpecies of intelligent and active beings, ſuperior to mine, in other globes? I have already ſaid, I know nothing of this matter. [Queſt. I.] I cannot, however, affirm that to be impoſſible; for I perceive planets very ſuperior in extent, and ſurrounded with a greater number of ſatellites than the earth. It is not at all improbable, that they are peopled with intelligences very much ſuperior to me; and with bodies more robuſt, more agile, and more durable. But their exiſtence, having no relation to mine, I ſhall leave to the poets of antiquity, the buſineſs of bringing Venus from her pretended third heaven, and Mars from the fifth. I ſhould confine my enquiries to the action of a neceſſary being on myſelf.

XXIII.

A ſole ſupreme Artiſt.

A CONSIDERABLE part of mankind, obſerving the natural and moral evil ſcattered over this globe, imagined there were two powerful beings, one of which produced all the good, and the other all the evil. If they exiſted, they were neceſſary, they were eternal, independent, infinite; they exiſted therefore

in the ſame place, they mutually pervaded each other; which is abſurd. The idea of theſe two hoſtile powers, owes its origin to examples, which ſtrike us on earth. We there ſee men of gentle and men of ferocious diſpoſition, animals which are uſeful, and thoſe which are obnoxious, good maſters and tyrants. Thus two oppoſite powers were deviſed, who preſided over nature; which is only an Aſiatic romance. There is in all nature a manifeſt unity of deſign; the laws of motion and gravity are invariable: it is impoſſible that two ſupreme artiſts, in entire oppoſition to each other, ſhould have followed the ſame laws. This alone, in my opinion, overturns the Manichean ſyſtem, and there is no need of great volumes to aſſault it.

There is, therefore, one eternal power, to whom every thing is united; on whom all depend; and whoſe nature is, however, to me incomprehenſible. St. Thomas tells us, "that God is a pure act, who "has neither gender nor predicament; that he is "nature and the agent; that he exiſts eſſentially, "participatively, and noncupatively." When the Dominicans were maſters of the Inquiſition, they would have ordered a man to be burnt, who would have denied theſe fine things. I ſhould not have denied them; but I ſhould not have underſtood them.

It is ſaid to me, that God is ſimple. I humbly confeſs that this word alſo is unintelligible to me. It is true, I could not attribute to him groſs parts, which I could ſeparate. But I cannot conceive, that the principle, or the maſter of every thing in the extent, is not himſelf in the extent. Simplicity, to ſpeak with accuracy, appears to me too much like non-entity. The extreme weakneſs of my underſtanding does not furniſh an inſtrument ſufficiently exquiſite to lay hold of this ſimplicity. A mathematical point is ſimple, I am told; but a mathematical point has no real exiſtence.

I am

I am told farther, that an idea is ſimple; but I have no better comprehenſion of this matter. I ſee a horſe, and I have an idea of him. But I ſee in him only an aſſemblance of things. I ſee a colour; and I have an idea of colour: but this colour is extended. I pronounce the abſtract names of *colour in general*; of *vice*, of *virtue*; of *truth in general:* but this is owing to my having had a knowledge of things coloured; of things which have appeared to me virtuous or vicious, true or falſe. I expreſs all theſe things by a word; but I have no clear knowledge of ſimplicity. I know no more of it, than I do of infinity in numbers actually exiſting.

Being already convinced that I know not what I am; I cannot know what is my author. My ignorance every inſtant overwhelms me; and I conſole myſelf by reflecting inceſſantly, it is of no importance I ſhould know that my maſter does or does not exiſt in univerſal ſpace, provided I do nothing in oppoſition to that which he has given me. Of all the ſyſtems men have invented on the ſubject of the Divinity, which ſhall I embrace? None, except that of adoring him.

XXIV.

Spinoſa.

AFTER plunging myſelf, with Thales, into the water, of which he forms his firſt principle; after having roaſted myſelf at the fire of Empedocles; after running in a ſtrait line in the vacuum with Epicurus's atoms; after having calculated numbers with Pythagoras, and heard his muſic; after having paid my devoir to the Androgines of Plato; and paſſed through all the regions of metaphyſics and of madneſs:

neſs: I was at laſt deſirous of being inſtructed in the ſyſtem of Spinoſa.

He is not the inventor of it. He has imitated ſeveral ancient Greek philoſophers, and even ſome Jews. But Spinoſa has done what no Greek philopher, and much leſs a Jew ever did. He has employed a geometrical impoſing method, in order to give the net produce of his ideas. Let us ſee whether he has not erred methodically by means of the thread that conducts him.

He eſtabliſhes at firſt an inconteſtible and clear fact. "Something exiſts; therefore a neceſſary Be-
"ing has eternally exiſted." This principle is ſo true, that the profound Samuel Clarke availed himſelf of it to prove the exiſtence of God.

"That Being muſt be in all places where there is
"exiſtence; for who can limit it?

"That neceſſary Being is therefore every thing
"that exiſts; of conſequence, there is in reality
"only one ſubſtance in the univerſe.

"That ſubſtance cannot create another ſubſtance;
"for as it fills all, where can a new ſubſtance be
"placed, and how can any thing be created from
"nothing? How is it poſſible to create ſpace or
"extent, without placing in it the very ſpace which
"neceſſarily exiſts?

"There are in the world, thought and matter;
"the neceſſary ſubſtance, which we call God, is
"therefore thought and matter. All thought and
"all matter are therefore compriſed in the immen-
"ſity of God; there can be nothing out of him;
"every thing muſt act with him; he comprehends
"all; he actually is all."

Thus all thoſe things we call *different ſubſtances*, are in effect only the univerſality of different attributes of the ſupreme Being, who thinks in the brain of men, enlightens in the light, moves on the winds, flaſhes in the lightning, traverſes the univerſal ſpace in all the planets, and lives in all nature. He is not, like

like a wretched king of the earth, confined in his palace, ſeparated from his ſubjects; he is intimately united to them; they are neceſſary parts of himſelf; if he were diſtinct from them, he would not be a neceſſary being, he would be no longer univerſal, he would not fill all places, he would be a ſeparate being, like any other.

Though all the changeable modes in the univerſe are the effects of his attributes, nevertheleſs, according to Spinoſa, he has no parts; "for," ſays he, "infinity has no parts, properly ſpeaking; if he had, "we might add others, and then it would be no more "infinity." In ſhort, Spinoſa affirms, that we muſt love this neceſſary, infinite, eternal God; and theſe are his words: (P. 45, in the Edit. of 1731.)

"In regard to the love of God, it is ſo far from "being weakened by this idea, that I apprehend no "other is ſo proper to increaſe it; ſince it informs "me, that God is intimate with my being, that he "gives me exiſtence and all my properties, but that "he gives them liberally without reproach, without "intereſt, without ſubjecting me to any thing but "my own nature. It baniſhes fear, uneaſineſs, diſ-"fidence, and all the defects of a vulgar or intereſt-"ed love. It inſtructs me to perceive, that it is a "good I cannot loſe, and which I poſſeſs with the "more advantage, as I know and love it."

Theſe ideas ſeduce a great number of readers; there were even ſome, who having firſt written againſt him, adopted his opinion.

The learned Bayle has been reproached with having ſeverely attacked Spinoſa, without underſtanding him. I agree it was done ſeverely; but I do not believe it was done unjuſtly. It would have been very ſtrange, if Bayle had not underſtood him. Bayle eaſily diſcovered the weak part of this enchanted caſtle. He ſaw that Spinoſa, in fact, compoſed his God of parts; though he was reduced to the neceſſity of contradicting himſelf, terrified at his own ſyſtem. Bayle perceived his phrenzy in making God

a ſtar and a pumkin; thought and ſmoke; beating and beaten. He perceived this fable, to be much beneath that of Proteus. Perhaps Bayle ſhould have confined himſelf to the word *modalities*, and not to the word *parts*; becauſe Spinoſa always uſed *modalities*. But, if I am not deceived, it is equally impertinent, that the excrement of an animal ſhould be either a modality, or a part of the Supreme Being.

It is true, he did not attack the reaſons by which Spinoſa maintains the impoſſibility of the creation; becauſe the creation is, properly ſpeaking, an object of faith, not of philoſophy; becauſe the opinion is not, by any means, peculiar to Spinoſa; and all antiquity have been of the ſame opinion with him. He combats only the abſurd idea of a ſimple God compoſed of parts; of a God who eats and digeſts himſelf; who loves and who hates the ſame thing at the ſame time, &c. Spinoſa makes uſe, always, of the word God, and Bayle takes advantage of him by means of his own words.

But in fact, Spinoſa did not acknowledge a God; he has probably uſed the expreſſion, and ſaid that we ought to ſerve and to love God, only that he might not frighten mankind. He ſeemed to be an atheiſt, in the ſtrongeſt ſenſe of the word. He is not an atheiſt of the ſame kind with Epicurus, who acknowledged gods who were uſeleſs and lazy; he is not like a great part of the Greeks and Romans, who diverted themſelves with the gods of the vulgar; he is an atheiſt, becauſe he does not acknowledge Providence, becauſe he admits only the eternity, the immenſity, the neceſſity of things; he is like Strato, or Diagoras; he does not doubt like Pyrrho; he affirms; and what does he affirm? that there is only one ſubſtance; that there cannot be two ſubſtances; that this ſubſtance is extended and thinking; and this is what was never ſaid by the Greek or Aſiatic philoſophers, who admitted an univerſal ſoul.

He

He does not ſpeak, in any part of his book, of regular deſigns, which are evident in all beings. He does not examine whether the eyes were made to ſee, the ears to hear, the feet to walk, or the wings to fly; he conſiders, neither the laws of motion in animals and plants, nor their ſtructure adapted to thoſe laws, nor the profound mathematics which govern the courſe of the planets; he dreads being obliged to perceive, that all things exiſting atteſt a divine Providence; he does not aſcend from effects to their cauſes; but making himſelf the maſter of the origin of things, he conſtructs his romance as Deſcartes did his, on a ſuppoſition. He ſuppoſed, with Deſcartes, a plenum, though it be accurately demonſtrated, that all motion is impracticable in a plenum. That was the principal reaſon, which induced him to conſider the univerſe as one ſubſtance. He has been the dupe of his geometrical ſpirit. How happened it, that Spinoſa, who could not doubt that intelligence and matter exiſted, did not examine, whether Providence had not arranged all things? What could have been the reaſon, he did not caſt a ſingle glance on thoſe ſprings, on thoſe means, each of which has an end, and enquire whether they proved the exiſtence of a ſupreme artiſt? He muſt have been, either a very ignorant natural philoſopher, or a ſophiſt bloated with the moſt ſtupid pride, not to acknowledge a Providence whenever he breathed, whenever he felt his heart beat; for that reſpiration, and that movement of the heart, are the effects of a machine ſo induſtriouſly complicated, arranged with an art ſo powerful, dependent on ſo many ſprings, all concurring to the ſame end, that it is impoſſible to imitate it, and impoſſible for a man of ſenſe not to admire it.

The modern Spinoſiſts ſay in anſwer, Do not alarm yourſelves at the conſequences which you impute to us. We find, in the ſame manner you do, ſeries of admirable effects in bodies organiſed, and in all nature.

ture. The eternal cauſe is in the eternal intelligence which we admit, and which, with matter, conſtitutes the univerſality of things, which is God. There is but one ſubſtance, which acts by the ſame modality of its thought on its modality of matter, and which thus conſtitutes the univerſe, which makes one inſeparable whole.

To this, we anſwer, how can you prove to us, that the thought which gives motion to the ſtars, animates man, and forms every thing, is a modality; and that the excrements of a toad or of a worm ſhould be another modality of the ſame Sovereign Being? Will you preſume to ſay, that ſo ſtrange a principle is demonſtrated to you? Do you not cover your ignorance by words which you do not underſtand? Bayle has effectually unfolded the ſophiſms of your maſter in all the windings and obſcurities of a ſtyle apparently geometrical, but really confuſed. I refer you to him; philoſophers ſhould not refuſe attention to Bayle.

However this be, I would obſerve of Spinoſa, that he very ſincerely deceived himſelf. It appears to me, that he never diſcarded from his ſyſtem thoſe ideas which might incommode him, meerly becauſe he was too full of his own; he purſued his route, without regarding any thing which might traverſe it; and this is often the caſe with us. What is more extraordinary, he over-turned all the principles of morality, while he himſelf was rigidly virtuous; of ſo much ſobriety, that he drank not above a pint of wine in a month; diſintereſted to that degree, that he remitted to the heirs of the unfortunate John de Wit, a penſion of two hundred florins, which that great man had procured for him; ſo generous as to give away his fortune; always patient under evils, and in his poverty, and always uniform in his conduct.

Bayle, who has treated him ſo ill, had very nearly the ſame character. Each of them ſpent their whole lives in purſuit of truth by different roads. Spinoſa

noſa forms a ſyſtem very ſpecious in ſome reſpects, but very erroneous in fact. Bayle has attacked all ſyſtems; what has been the effect of the writings of the one and the other? They have employed the idle hours of ſome readers; the effect of all writings is reduced to this; and from Thales to the profeſſors of our univerſities, to the moſt chimerical reaſoners, and even to their plagiariſts, no philoſopher has influenced the manners even of the ſtreet in which he lived. Why? Becauſe men regulate their conduct by cuſtom, not by metaphyſics. One man who is eloquent, and of reputed ability, may greatly influence mankind; a hundred philoſophers can do nothing, if they are only philoſophers.

XXV.

Abſurdities.

YOU ſee we have taken many journies into unknown regions; but are not the wiſer. I find myſelf in the ſtate of a man, who having roved on the ocean, and perceiving the Maldivian Iſles with which the Indian ſea is interſperſed, wiſhes to viſit all of them. My long voyage has been of no benefit to me; let us ſee, whether I can obtain any advantage from obſerving thoſe little iſles, which ſeem only to embarraſs my paſſage.

There are a hundred courſes of philoſophy in which things are explained to me, of which no man can have the leaſt idea. In one, I am made to comprehend the Trinity by means of natural philoſophy; for I am told, it reſembles the three dimenſions of matter. I ſuffer my inſtructor to ſpeak, and I paſs over the ſubject. Another pretends to give me a palpable proof of tranſubſtantiation; by ſhewing me,

me, that, according to the laws of motion, an accident may exiſt without a ſubject, and that the ſame body may be in two places at a time. I ſtop up my ears, and paſs over this matter with more haſte than the other.

Paſcal, Blaiſe Paſcal himſelf, author of the *Lettres Provençales*, makes uſe of theſe words. "Do you "believe it impoſſible, that God ſhould be infinite, "and without parts? I will then ſhew you a thing "which is indiviſible and infinite; it is a point "moving through all ſpace with infinite ſwiftneſs; "for it is in all places, and quite entire every "where."

A mathematical point moving itſelf! Juſt Heaven! A point which exiſts only in the head of a geometer! which is every where, and at the ſame time; which is of infinite ſwiftneſs, as if infinite ſwiftneſs could actually exiſt! Every word is an expreſſion of madneſs, and yet he was a great man who uttered theſe follies!

Another ſays to me, your ſoul is ſimple, incorporeal, intangible; and as no body can touch it, I ſhall convince you, according to the philoſophy of Albert the Great, that it will be phyſically burnt, if you are not of my opinion; and in this manner, I prove it to you *à priori*, by fortifying Albert with the ſyllogiſms of Abeli. I anſwer him, that I do not underſtand his *priori*, that I find his compliment to be a very harſh one; that Revelation only, which he and I at this time have nothing to do with, can teach me a thing ſo incomprehenſible; that I give him leave not to be of my opinion, without threatening him: and I get a good way from him, leſt he ſhould do me ſome harm; for the man ſeems to me to be very wicked.

A croud of ſophiſts of all countries, and of all ſects, overwhelm me with unintelligible arguments on the nature of things; on my own nature; on my paſt, preſent, and future ſtate. If any converſation

ſation be held with them on eating, drinking, cloathing, lodging, on the conveniencies of life, and the money by which they are procured; every thing is perfectly intelligible. If there be a few piſtoles to be gained, every one preſſes forward with alacrity, no man injures himſelf of a penny; but when the buſineſs is concerning our being, they have not one diſtinct idea; common ſenſe abandons them. From hence I return to my firſt concluſion [Queſt. IV.] that which is not of univerſal uſe, which is not within the reach of common perſons, that which is not underſtood by thoſe who have exerciſed their faculty of thinking the moſt, is not neceſſary to mankind.

XXVI.

The beſt of Worlds.

IN rambling on all ſides to obtain inſtruction, I met ſome diſciples of Plato. Go with us, ſaid one of them to me, you are in the beſt of worlds; we have greatly ſurpaſſed our maſter. In his time there were only five poſſible worlds, becauſe there are but five regular bodies; but there are actually an infinity of poſſible ſyſtems of worlds; God has choſen the beſt; come, and you will find it agreeable. I anſwered him with great humility, the worlds which God had the power to create were either better, perfectly equal, or worſe; he could not have choſen the worſt: thoſe that were equal, if there were ſuch, could not occaſion a preference; they were entirely the ſame; no choice could have been made among them; to take the one was to take the other. It was therefore impoſſible that he ſhould not take the beſt. But how were the others poſſible, when it was impoſſible they ſhould have exiſted?

He made ſome very fine diſtinctions, aſſuring me inceſſantly, without underſtanding himſelf, that this world is the beſt of all the worlds which are really impoſſible. But finding myſelf then tormented with the ſtone, and enduring the moſt inſupportable pain, the citizens of the beſt of worlds conducted me to the neighbouring hoſpital. On the road two of theſe happy inhabitants were carried off by two creatures of their own ſpecies; they were loaded with irons, one for debt, the other on a bare ſuſpicion. I do not know whether I was conducted to the beſt of all poſſible hoſpitals; but I was huddled with two or three thouſand wretches who ſuffered as I did. There were many of the defenders of their country, who told me they had been trepanned and diſſected alive; that the operators had cut off ſome of their arms and legs, and that many thouſands of their generous countrymen had been maſſacred in one of the thirty battles fought in the laſt war, which is one war of about a hundred million ſince we have had any knowledge of wars. There were alſo in this houſe, nearly a thouſand perſons of both ſexes who reſembled hideous ſpectres, who were rubbed with a certain metal becauſe they had followed the law of nature, and becauſe nature had, I know not how, taken the precaution of poiſoning in them the ſource of life. I gave thanks to my two conductors.

When the ſurgeon had plunged a very ſharp iron into my bladder, and had drawn out ſome ſtones from that quarry: when I was cured, and there remained only ſome painful inconveniencies for the reſt of my life, I made my repreſentations to my guides. I took the liberty to tell them that there was ſome good in this world, as four flints had been drawn from the centre of my lacerated entrails; but that I had much rather bladders had been lanthorns than have been quarries. I ſpoke to them of the innumerable calamities ſcattered over this excellent

world. The moſt intrepid of them, who was a German, and my countryman, told me, all that was a mere trifle.

He ſaid, Heaven was particularly favourable to mankind when Tarquin violated Lucretia, and when Lucretia ſtabbed herſelf, becauſe tyrants were driven out, and a rape, ſuicide, and war, eſtabliſhed a republic which beſtowed happineſs on the people they conquered. I had ſome difficulty in admitting this happineſs. I did not conceive immediately the nature of that felicity conferred on the Gauls and Spaniards, of whom it is ſaid, Cæſar put three millions to death. Beſides, devaſtations and rapines appeared to me things rather diſagreeable: but the defender of optimiſm did not quit his hold; he continued to ſay to me, like the gaoler of Don Carlos, "Peace, peace, it is for your good." At length being puſhed to an extremity, that we ſhould not pay much regard to this little globe of earth, where every thing happens perverſely; but that in the ſtar Sirius, in Orion, in the Bull's Eye and, elſewhere, all things are perfect. Let us then go there, ſaid I to him.

A little divine then pulled me by the arm; he whiſpered me in confidence, that thoſe folks were dreamers; it was not at all neceſſary there ſhould be any evil on earth; that it was formed with an expreſs intention that there ſhould not be any thing but good; and to prove this to you, I muſt let you know that things were in this ſituation formerly for ten or twelve days. Alas! I replied to him, it is a pity, my reverend father, that things were not thus continued.

XXVII.

Monads, &c.

THE ſame German laid hold of me once more. He documented me, and inſtructed me clearly in the

nature of my ſoul. All things in nature conſiſt of monads; your ſoul is a monad; and as it has an affinity with all the others, it has neceſſarily ſome ideas of what paſſes in them. Theſe ideas are confuſed, which is a very uſeful circumſtance; and your monad, as well as mine, is a mirror, concentrical to all the univerſe.

But you are not to believe that your actions are the conſequences of your thoughts. There is a preeſtabliſhed harmony between the monad of your ſoul and all the monads of your body, ſo that when your ſoul has an idea, your body has action, without one being the conſequence of the other. Your ſoul and body are two pendulums which go together; or, if you pleaſe, one reſembles a perſon who preaches, while another is accompanying by geſticulations. You readily conceive, that this muſt, of neceſſity, be ſo in the beſt of worlds: for—

XXVIII.

Plaſtic Forms.

I HAD not the leaſt comprehenſion of theſe wonderful ideas. An Engliſhman, whoſe name is Cudworth, perceived my ignorance, by my fixed eyes, my embarraſſment, and my looking downward. Theſe ideas, ſaid he, ſeem profound to you, becauſe they are viſionary. I will very conciſely give you a notion how nature acts. In the firſt place, there is nature in general; then there are plaſtic natures, which form all animals and all plants. You underſtand me? Not one word, Sir—Let us proceed then.

A plaſtic nature is not a bodily power; it is an immaterial ſubſtance, acting without a conſciouſneſs of acting; it is entirely blind; it does not feel, or reaſon,

reaſon, or vegetate; the tulip has its plaſtic form which makes it vegetate; the dog has his plaſtic form, which makes him engage in the chace; and man has his plaſtic form, which makes him reaſon. Theſe forms are the immediate agents of the Deity. No miniſters in the world are of greater fidelity; for they beſtow every thing and retain nothing for themſelves. You ſee clearly, theſe are the true principles of things; and that plaſtic natures are, at leaſt, of equal authority with a pre-eſtabliſhed harmony, or with monads which are the concentrical mirrors of the univerſe. I readily confeſſed, that the one was as good as the other.

XXIX.

Locke.

AFTER ſo many unſucceſsful attempts; fatigued, harraſſed; aſhamed of having ſearched for a great number of truths, and found only ſo many chimeras, I am returned to Locke, as the prodigal ſon returned to the houſe of his father. I have thrown myſelf into the arms of a modeſt man, who never affects to know what he really does not know; who, in truth, is not maſter of immenſe riches, but whoſe eſtates are well ſecured, and who enjoys the moſt ſubſtantial wealth without oſtentation. He fixes me in the opinion which I always had, that nothing is introduced into our minds but by means of our ſenſes.

—That there are no innate ideas:

—That we can have no ideas, either of infinite ſpace, or of infinite number:

—That I am not always thinking; and therefore that thought is not the eſſence but the act of my underſtanding:

—That I am free, when I can do what I am inclined to do:

—That this freedom does not conſiſt in my will; becauſe when I willingly remain in my room, the door of which is locked and the key taken away, I am not at liberty go out; becauſe I ſuffer, when not diſpoſed to ſuffer; and becauſe in many caſes, I cannot call back my ideas, though I am ever ſo much inclined ſo to do.

In reality therefore, it is ridiculous to ſay the will is free, as it would be ridiculous to ſay, I will ſuch a thing: for this would be exactly as if a man were to ſay, I deſire to deſire any thing; or I fear to fear any thing; in ſhort, the will is no more free than it is blue or ſquare. [See Queſt. XIII.]

That it is in my power to have a will only in conſequence of ideas conveyed into my brain; that I am under a neceſſity of determining in conformity to thoſe ideas, becauſe I ſhould otherwiſe determine without a reaſon; and I ſhould have an effect which had no cauſe:

—That, as I am finite, I can have no poſitive idea of infinity;

—That I cannot underſtand the nature of ſubſtances, becauſe I can have no ideas beyond their qualities, and becauſe a thouſand qualities of any thing cannot convey the knowledge of its intricate nature; for it may poſſeſs a hundred thouſand other qualities which may be unknown to me:

—That I am no longer the ſame perſon than while I have the ſame memory, and even the conſciouſneſs of that memory: for not having any part of that body which I had in my infancy, and not having any recollection of the ideas which occupied me at that time; it is evident I am no longer the ſame infant, any more than I am Confucius or Zoroaſter. I am reputed to be the ſame perſon by thoſe who have obſerved me growing up, and who have always lived with me; but I have not the ſame exiſtence in any reſpect; I am not my former ſelf; I am a new identity: and what extraordinary conſequences ariſe from this circumſtance?

In ſhort, in conformity to that profound ignorance in the principles of things, of which I am entirely convinced, it is impoſſible I ſhould diſcover the nature of thoſe ſubſtances on which God beſtows the faculty of feeling or of thinking. Are there in reality any ſubſtances whoſe eſſence it is to think; which are always thinking, and which think by a power in themſelves? If there were any ſuch ſubſtances, whatever they might be denominated, they would be gods; for they could have no need of the eternal Being, the eternal Creator; becauſe they poſſeſs their eſſences independent of him, and think without his aſſiſtance.

Secondly, if the eternal God has given to theſe beings the faculty of feeling and of thinking, he has given them what did not eſſentially belong to them; he, therefore, could have given this faculty to all beings.

Thirdly, We cannot know the firſt principles which conſtitute any being; it is, therefore, impoſſible we ſhould know, whether a Being be capable or incapable of ſenſation and thought. The words *matter* and *ſpirit* are meer words; we have no accurate ideas of theſe two things; there would, therefore, in fact, be as much temerity in ſaying that a body organiſed by God himſelf, could not receive thought from God, as it would be abſurd to ſay that ſpirit could not think.

Fourthly, Suppoſe there were ſubſtances perfectly ſpiritual, which never had any ideas of matter and motion; would they be thought wiſe and prudent in denying that matter and motion may exiſt?

I imagine, that the learned aſſembly, which condemned Galileo as impious and abſurd, for having demonſtrated the motion of the earth round the ſun, had ſome knowledge of the ideas of Chancellor Bacon, who propoſed to examine whether the power of attraction had been given to matter. And, I imagine, that the leading judge of this great tribu-

nal remonſtrated to his grave aſſociates, that there were perſons in England mad enough to ſuppoſe, that God beſtowed on all matter, from Saturn down to our little heap of dirt, a tendency to a centre, attraction, gravitation, independent of all impulſe; impulſe acting in proportion to the ſurfaces of bodies; gravitation to that of their ſolid contents. Do you not perceive, that theſe judges of human reaſon, nay, of God himſelf, dictate their ſentences peremptorily; anathematize that gravitation, which Newton afterwards demonſtrated; that they pronounce it a quality, which it was impoſſible for God to beſtow; and declare that gravitation towards a center is blaſphemy? It ſeems to me, that I am guilty of a ſimilar temerity, when I preſume to aſſert, that God cannot make any organized body feel or think.

Fifthly, I cannot doubt, that God has granted ſenſations, memory, and conſequently ideas, to organiſed matter in animals. Why, therefore, ſhould I deny that he may beſtow the ſame gift on other animals. It has been ſaid already, that the difficulty is not ſo much in underſtanding how organiſed matter can think, as how any being whatſoever can think.

Thought is a divine quality. This is not doubted; and it is on this account, I ſhall never know what is a thinking being. The principle of motion is divine. I ſhall never know the cauſe of motion; while all my members execute its laws.

The child of Ariſtotle, while at nurſe, drew into his mouth the nipple which he ſucked; forming with his tongue an air-pump, exhauſting the air, and cauſing a vacuum; his father, at the time knew nothing of the matter, and aſſerted at random, that nature abhorred a vacuum.

The child of Hippocrates, at the age of four years, proved the circulation of the blood, by paſſing his finger over his hand; while Hippocrates was ignorant that the blood circulated.

We

We are thoſe children, conſiderable as we may imagine ourſelves: we effect wonderful things, while there is not one philoſopher who knows how they are effected.

Sixthly, Theſe are the reaſons, or rather the doubts, which have been furniſhed by my intellectual powers, in conſequence of the modeſt aſſertion of Mr. Locke. I muſt repeat it, I do not aſſert, that it is matter which thinks within us. I ſay, as he does, it is not becoming in us, to declare it impoſſible for God to make matter think; that ſuch a declaration would be abſurd; and that it is not for worms of the earth to ſet bounds to the power of the Supreme Being.

Sixthly, I alledge further, that this queſtion is wholly foreign to the ſubject of morals; for whether matter can or cannot think, whatever thinks ſhould be juſt; becauſe the atom to which God has given thought, may have merit or demerit; be puniſhed or rewarded; and exiſt eternally as well as the unknown being formerly called *breath*, and now called *ſpirit*, of which we have ideas leſs accurate, than thoſe we entertain of an atom.

I am very ſenſible, thoſe who have thought that only the being called *breath*, could be capable of feeling and thinking, have perſecuted thoſe who have ſupported the opinion of the ſagacious Mr. Locke, and who would not preſume to limit the power of God to the act of animating this *breath*. But when the whole world believed the ſoul was a light body, that it was only breath, or that it was a fiery ſubſtance; would men have been juſtified in perſecuting thoſe who came to teach us that the ſoul was immaterial? Thoſe fathers of the church, who thought the ſoul a thin airy body—would they have been juſt in perſecuting the other fathers, who conveyed to men the idea of perfect immateriality? No, certainly; for a perſecutor is always deteſted. Thoſe, therefore, who admit the doctrine of perfect immateriality

teriality without underſtanding it, ought to have tolerated thoſe who rejected that doctrine, becauſe they did not underſtand it. Thoſe who have denied that God has the power of animating an unknown being, called matter, ought alſo to have tolerated thoſe who have not preſumed to diveſt God of this power; it is very unbecoming and abſurd to hate each other for ſyllogiſms.

XXX.

What is it, I have hitherto learned?

HAVING ſettled my accompts with Locke and with myſelf, I found that I was in poſſeſſion of four or five truths, ſeparated from a hundred errors, and incumbered with an immenſe number of doubts. I then ſaid to myſelf, theſe few truths which my reaſon has acquired, will be but a ſteril poſſeſſion, if I find no principle of morals in it. It is a fine attempt indeed, in an animal ſo wretched as man, to exalt himſelf to the knowledge of the maſter of nature. But this will not be of greater ſervice to me, than the ſcience of algebra, if I do not derive ſome rule from it for the regulation of my life.

XXXI.

Is there any Thing real in Morals?

IN proportion as I have taken notice that men differ by means of climate, manners, languages, laws, and worſhip, I have been clearly convinced, that they had the ſame fundamental principles of morals. All have a general idea of what is juſt and unjuſt, without

out the leaſt knowledge of theology. All obtained the idea, at an age when reaſon began to unfold itſelf; as they naturally acquired the art of raiſing burdens with poles, and paſſing rivulets on pieces of wood, without having any knowledge of the mathematics.

It appeared to me, therefore, that the idea of what is juſt and unjuſt, was neceſſary, becauſe all men agreed on the ſubject, as ſoon as they were capable of acting and reaſoning. The Supreme Intelligence which formed us, hath ordained there ſhould be juſtice on earth, in order that we may live there for ſome time. It ſeems to me, that as we have neither inſtinct to direct us to our food, as animals have; nor natural arms like them; and we vegetate for many years in the weakneſs of infancy, expoſed to a variety of dangers; the ſmall number of men who would have eſcaped the teeth of ferocious animals, from hunger and miſery, would have been occupied in contending for a little food, or for the ſkins of animals; and that they muſt have been ſoon deſtroyed, like the offspring of Cadmus's dragon, when they had acquired ſtrength to uſe any offenſive weapons. There would, certainly, have been no ſociety, if mankind had not conceived the idea of juſtice, which is the general bond of all communities.

How could an Egyptian, who raiſed pyramids and obeliſks, and a wandering Scythian, who could not even conſtruct a cabin, have had exactly the ſame fundamental notions of what is juſt and unjuſt, if God had not given to each, from the commencement of time, that reaſon, which in its exertions, made them perceive the ſame neceſſary principles; juſt as he gave them bodily organs, which, having acquired their proper maturity, perpetuate, neceſſarily, and in the ſame manner, the race of the Egyptian and of the Scythian? I ſee a barbarous, ignorant, ſuperſtitious herd, a ſanguinary and uſurious people, who had not even a word in their jargon to ſignify geometry

metry and aſtronony: this people, however, has the ſame fundamental laws as the ſage Chaldean, who diſcovered the courſe of the planets; or as the Phœnician ſtill more learned, who availed himſelf of the knowledge of the ſtars, and planted colonies at the extremities of the hemiſphere, where the ocean is blended with the Mediterranean. All theſe people declare it to be our duty to reſpect our fathers and mothers; that perjury, calumny, and murder, are deteſtable crimes: all, therefore, have derived the ſame concluſions from the ſame principles, ariſing from the exerciſe of their reaſon.

XXXII.

Real Uſefulneſs. Idea of Juſtice.

THE idea of ſomething juſt, ſeems to me ſo natural, and to be an acquiſition ſo generally made by all men, that it is independent of all law, all compact, and all religion. Let me demand the money I lent a Turk, a Guebre, or a Malabar, to ſupply himſelf with food and clothing; and it will never occur to his imagination to anſwer, "Wait, till I "know whether Mahomet, Zoroaſter, or Brama, or- "dains that I ſhould reſtore your money." He will acknowledge, it is juſt he ſhould pay me; and if he does not, it is owing to the influence of his poverty, or his avarice, over the juſtice which he acknowledges.

I aſſert it as a truth, that there is no people, among whom it is either juſt or right, or proper, or honorable, to refuſe ſuſtenance to a man's father and mother, when it is in his power to afford it.

That no aſſemblage of men have ever conſidered calumny as a virtuous action; not even a ſect of fanatical bigots.

It

It appears to me, that the idea of juſtice is ſo clearly a truth of the firſt order, and ſo intirely aſſented to by the whole world, that the greateſt crimes, which infeſt human ſocieties, are all committed under falſe pretences of juſtice. The moſt heinous of all crimes; that which is, at leaſt, the moſt deſtructive and moſt oppoſite to the intentions of nature, is war: but there never was an aggreſſor, who did not gloſs over that crime with the pretence of juſtice.

The Roman depredators commanded all their incroachments to be declared juſt, by prieſts, called *Feciales*. Every robber who finds himſelf at the head of a body of men, begins his ravages with a manifeſto, and prays to the god of armies.

Even robbers themſelves, when they are aſſociated, take care to avoid ſaying, Let us go and rob, let us deprive the widow and the orphan of their ſcanty food; they ſay, let us be juſt, let us claim our rights from the hands of the rich who have deprived us of them. They have even a dictionary among them, which has been printed ſince the ſixteenth century; and in this vocabulary, which is called *Argot*, the words theft, robbery, rapine, are not to be found; they make uſe of words which correſpond with gaining, recovering, &c.

The word injuſtice is never pronounced in a council of ſtate, where the moſt iniquitous murder is propoſed; the moſt bloody conſpirators have never ſaid, let us commit a crime. They have all ſaid, Let us avenge our country on a criminal tyrant; let us puniſh what ſeems to be injuſtice. In ſhort, obſequious flatterers, barbarous miniſters, hateful conſpirators, robbers plunged in villainy, all, againſt their inclination, pay homage to that virtue which they trample upon.

I have been ever aſtoniſhed, that among the French, who are intelligent and polite, maxims have been tolerated on the ſtage, which are as offenſive as they are falſe; which are to be found in the firſt ſcene

of

of Pompey, and which are much more extravagant than thoſe of Lucan, from whoſe works they are copied.

La juſtice et le droit ſont des vaines idées,
Le droit des rois conſiſte à rien epargner.

Juſtice and equity are unſubſtantial ideas;
The right of kings conſiſts in ſparing nothing.

And theſe ſhocking words are put into the mouth of Photinus, miniſter of young Ptolemy: but it is becauſe he is a miniſter, he ſhould talk differently; he ſhould have repreſented the death of Pompey as a juſt and neceſſary misfortune.

I therefore believe, that the ideas of what is juſt and unjuſt are as clear and as univerſal as thoſe of health and ſickneſs, truth and falſhood, convenience and inconvenience. The boundaries of juſtice and injuſtice are not very eaſily aſcertained; as a certain middle ſtate between health and ſickneſs, convenience and inconvenienee, truth and falſhood, is not eaſily defined. They are ſhades which are gradually blended; but ſtrong colours are diſcernable by every eye. For inſtance: all mankind are agreed, that we ought to return what we have borrowed; but if I ſhould diſcover, that the perſon to whom I owe two millions will employ it to reduce my country to ſlavery, would it be my duty to put ſuch deſtructive arms into his hands? Here are ſentiments that divide the mind; but in general I ſhould obſerve my oath, when no great evils ariſe from it. This has never been doubted by any man.

XXXIII.

Can univerſal Conſent be thought a Proof of Truth?

IT may be objected, that the unanimous opinion of men at all times and in all countries, is not a proof of truth. All men belived in magic, in ſorcery, in demoniacs, apparitions, the influence of the ſtars, and a hundred other follies of the ſame kind. Is it not likely, that it has been the ſame in regard to juſtice and injuſtice?

It ſeems to me unlikely. For in the firſt place, it is not true, that all men had faith in theſe chimeras. They were in reality, the aliments of vulgar weakneſs; and this ſpecies of vulgarity affects the great as well as the people: but a great number of wiſe men for ever ridiculed them; and yet all theſe men of wiſdom always admitted the ideas of juſt and unjuſt, as much, and even more than the common people.

Faith in ſorcerers, demoniacs, &c. is not, by any means, neceſſary to mankind; but a firm perſuaſion of the duty of juſtice is abſolutely neceſſary: it is therefore the effect of the developement of that reaſon which is given by God; the idea of ſorcerers, demoniacs, &c. is, on the contrary, a perverſion of this reaſon.

XXXIV.

Againſt Locke.

LOCKE, who has taught me to be diffident of myſelf, does he not ſometimes impoſe on himſelf as I do? He is deſirous of proving there were no innate ideas; but

but does he not add a bad reaſon to ſome very good ones? He admits it to be unjuſt in a man to boil his neighbour in a cauldron and to eat him; notwithſtanding this, he ſays, there have been nations of Anthropophagi, and that theſe thinking beings would not have fed on men, if they had poſſeſſed thoſe ideas of juſtice and injuſtice which I ſuppoſe neceſſary for the human ſpecies. [See Queſt. XXXIV.]

Without entering on the queſtion, whether there were in reality any nations of Anthropophagi; without conſidering the accounts of Dampier the traveller, who journeyed over all America, and never ſaw any, but on the contrary, was received among all the ſavages with the greateſt humanity; this is my anſwer:—

Conquerors have fed on the priſoners they have taken in war, and in ſo doing imagined they acted juſtly; they ſuppoſed they had a right to their life or death; and as they had not much good proviſion for their tables, they imagined themſelves at liberty to feed on the produce of their own victories. In this, they were more juſt than the Romans, who ſtrangled the captive princes, chained to their triumphal cars, when no advantage could ariſe from it. I confeſs, that the ſavages, as well as the Romans, had very falſe ideas of juſtice; but they imagined that they acted juſtly, and believed it to be their duty ſo to act: this is ſo true, that the ſame ſavages, when they had admitted their captives into their tribes, conſidered them as their children; and the ſame ancient Romans have given a thouſand admirable examples of juſtice.

XXXV.

Againſt Locke.

I AGREE with the ſage Locke, that there is no innate idea, no innate principle of practice. This is a truth

a truth ſo indiſputable, that it is evident all children would have a diſtinct notion of the Deity, if they were born with that notion, and all men would be unanimous in it, an unanimity which has never been known. It is altogether as evident, that we are not born with principles of morality actually developed; becauſe it cannot be imagined that a whole nation ſhould reject a principle of morality, when it was engraven in the hearts of every individual of that nation.

Let us ſuppoſe, that we were born with the following moral principle actually unfolded, that no man ſhould be perſecuted for his manner of thinking; how ſhould all nations have become perſecutors? Let us ſuppoſe, every man had within him the evident law, by which he is enjoined ſtrictly to obſerve his oath; how ſhould all men, when united in bodies, have ordained, that no faith ſhould be kept with heretics? I repeat it, that inſtead of theſe chimerical, innate ideas, the Deity has given us reaſon, which is improved by age, and which inſtructs us when we attend without prepoſſeſſion, that there is a God, and that we ſhould be juſt: but I cannot admit of the conſequences which Mr. Locke draws from this truth. He ſeems to approach Hobbes's ſyſtem too nearly, while in reality he is at a great diſtance from it.

The following are his words, in the firſt book of his Eſſay on the Human Underſtanding.

"View a city taken by aſſault, and ſay, if there "appear in the hearts of the ſoldiers, ſtimulated to "carnage and booty, any regard for virtue, any prin-"ciple of morals, any remorſe for all the outrages "they commit."

No; they have no remorſe; and why? Becauſe, in their opinion, they are doing juſtice. Not one of them ſuppoſes the cauſe of the prince in ſupport of which he fights, to be unjuſt; they hazard their lives for this cauſe; they fulfil the compact they have entered into; they might have been killed in the aſſault, they think therefore they have a right to kill; they might have been plundered, they think therefore

they have a right to plunder: beſides, they are intoxicated with rage, and rage does not reaſon; and, to prove to you, that they are not deſtitute of all ideas of juſtice and honour, offer to the ſame ſoldiers a greater quantity of money than the plunder of the city amounts to, girls much more beautiful than thoſe they have violated, if, inſtead of murdering in their fury three or four thouſand enemies who reſiſt and might murder them, they would go and maſſacre their king, his ſecretaries, and his high almoner; you would not find a ſoldier who would not reject your offer with horror; and yet you require only ſix murders, inſtead of four thouſand, and you offer the ſoldiers a very conſiderable reward. Why do they reject it? Becauſe they think it an act of juſtice to kill four thouſand enemies; and to murder their ſovereign, in whoſe ſervice they are engaged by oath, they think to be a deteſtable crime.

Locke proceeds, and the more effectually to prove that no principle of conduct is innate, he mentions the Mengrelians, who, in paſtime, bury their children alive; and the Caribbees, who caſtrate theirs, in order to fatten them, as diſhes to feed upon.

It has been obſerved already, that this great man had been too credulous in regard to theſe fables. Lambert is the only perſon who charges the Mengrelians with burying their children alive for paſtime, and he is not a writer of ſufficient authority to be quoted.

Chardin, who is eſteemed a traveller of veracity, and who was ranſomed in Mengrelia, would have mentioned this ſhocking cuſtom if it had exiſted; and his mentioning it would not have been ſufficient to give it credit; twenty travellers, of various nations and religions, ſhould be unanimous in confirming ſo ſtrange a fact, in order to give it hiſtorical certainty.

We may ſay the ſame things in regard to the women of the Antilles, who caſtrated their children to eat them: it is not in the nature of a mother.

The

The human heart is not thus formed. To caſtrate children is a very delicate and dangerous operation; and it is ſo far from rendering them fat, that it makes them lean, at leaſt for a year, and is often the occaſion of their death.

This refinement is never cuſtomary but among the great, corrupted by luxury and jealouſy, who think it neceſſary to have eunuchs to guard their wives and concubines. In Italy, and at the Pope's chapel, this cuſtom was adopted, in order to have ſingers whoſe voices were finer than thoſe of women. But it is not very likely, that ſavages in the Antilles ſhould invent the refinement of caſtrating little boys to obtain a delicate diſh—and what was done with their little girls?

Locke further alledges, that the ſaints of the Mahometan religion devoutly copulate with aſſes, that they may be under no temptation to commit crimes with the women of the country. Theſe ſtories rank with that of the paroquet, who held ſuch a fine converſation in the Braſilian language with Prince Maurice; a converſation which Locke is weak enough to relate, without ſuſpecting that the prince's interpreter had impoſed on him. The author of the Spirit of Laws amuſed himſelf in the ſame manner, by quoting imaginary laws of Tonquin, Bantam, Borneo, and Formoſa, on the credit of travellers, liars, and perſons very ill-informed. Locke and Monteſquieu are two great men, in whom I conſider this credulity as inexcuſable.

XXXVI.

Nature the ſame in all Places.

IN giving up Locke on this ſubject, I ſay with the great Newton, *Natura eſt ſemper ſibi conſona*; Nature

is every where conſiſtent. The law of gravitation acts on a ſtar, on all ſtars, and on all matter. In the ſame manner, the fundamental law of morality acts equally on the nations which are known to us. In a thouſand circumſtrnces, this law has a thouſand different interpretations; but the foundation is ever the ſame, and this is the idea of what is juſt and unjuſt. Acts of injuſtice without number are committed in the fury of paſſion, as reaſon is loſt by intoxication; but when that intoxication is over, reaſon returns; and it is owing to this cauſe, in my opinion, that human ſociety ſubſiſts; a cauſe, however, in ſubordination to the neceſſity of reciprocal aſſiſtance.

In what manner then have we acquired the idea of what is juſt? As we acquired that of prudence, truth, and convenience; by experience and reaſon. It is impoſſible we ſhould avoid thinking it a very imprudent action, that a man, in order to obtain admiration, ſhould throw himſelf into the fire, and hope to eſcape without injury. It is not in our power to avoid thinking a man unjuſt, who ſhould kill another in his paſſion. It is on theſe ideas that ſociety is founded; they can never be eradicated from the heart; it is by their means that ſociety ſubſiſts, even when infeſted by an extravagant and horrible ſuperſtition.

At what age do we diſcern the difference between juſtice and injuſtice? At the age we become capable of knowing that two and two make four.

XXXVII.

Of Hobbes.

Profound and extravagant philoſopher! Virtuous citizen, enterprizing ſpirit! Enemy of Deſcartes, and yet deceiving thyſelf like him! whoſe errors in phyſics are great, but venial, becauſe deſtitute of the diſcoveries

veries of a Newton! who haſt written truths that do not atone for thy errors! who wert the firſt to exhibit the abſurdity of innate ideas, the fore-runner of Spinoſa and of Locke! In vain doſt thou alarm thy readers by almoſt ſucceeding in thy attempts to prove, there are no laws in the world but thoſe of convention, and that there is no juſtice or injuſtice but in conſequence of the determinations of the community. If Cromwell had found thee alone on a deſart iſland, and attempted to have killed thee for being a partizan to thy king in England, would not the attempt have appeared to thee as unjuſt in the deſart iſland as in thine own country?

It is ſaid, in thy Law of Nature, "That every "man having a right to all things, every one has a "right over the life of his fellow-creatures." Is not power here confounded with right? Art thou, in fact, of opinion, that power conveys a right; that a ſon who is robuſt, has nothing to reproach himſelf with, if he has aſſaſſinated a father who is decrepid and languiſhing? Every man ſtudying morality, ſhould begin by refuting his book in his heart; thine own heart refuted it; thou wert virtuous, ſo was Spinoſa; thy crime, like his, was only that of teaching the real principles of virtue which thou didſt practiſe and recommend to others.

XXXVIII.

Univerſal Morality.

MORALITY ſeems to me ſo univerſally acknowledged; ſo clearly intended to be ſo by the Univerſal Being who made us; ſo admirably deſigned as a balance to our fatal paſſions, and a conſolation amidſt the inevitable troubles of this ſhort life; that from Zoroaſter down to Lord Shafteſbury, I

perceive all philoſophers teach the ſame morals, though their ideas have been very different on the principles of things. We know that Hobbes, Spinoſa, and even Bayle, who either denied or doubted of theſe firſt principles, have nevertheleſs ſtrongly recommended the practice of juſtice and of all the virtues.

Every nation has had its peculiar rites in religion, and very often abſurd and ſhocking opinions in metaphyſics and theology. But is it the queſtion before us, whether we ſhould be juſt? The whole world is agreed in the affirmative, as we have ſaid (in Queſt. XXXVI.) and which we cannot too often repeat.

XXXIX.

Of Zoroaſter.

IT is not my intention to enquire at what time Zoroaſter lived, whom the Perſians aver to have lived nine thouſand years before them, before Plato and the ancient Athenians. I only know that his moral maxims have been brought down to our times; they have been tranſlated from the ancient language of the Magi to the common dialect of the Guebres; and it ſeems extremely probable, from the puerile allegories, the abſurd obſervations and the chimerical ideas which conſtitute this collection, that the religion of Zoroaſter is of the higheſt antiquity. In this collection we find the word *garden* denoting the recompence of the juſt; and the evil principle is ſignified by the word *Satan*; a word which has been adopted by the Jews. We are there told, the world was formed in ſix periods or ſix ſeaſons; and the people are enjoined to recite an *abunavar* and an *aſhim vuhu* for thoſe who ſneeze.

But

But to come directly to the point before us. In this collection of a hundred directions or precepts, taken from the book of Zend, where the words of the ancient Zoroaſter are repeated——what are the moral duties enjoined?

That a man ſhould love and ſupport his father and mother; that he ſhould give alms to the poor; never violate his word; and that, when in doubt concerning the juſtice or injuſtice of an action, he ſhould wholly abſtain from it. [Precept XXX.]

I would reſt the credit of my opinion on this latter precept; becauſe no legiſlator has ever been able to go beyond it; and I am confirmed in my opinion, however clear it may be, that Zoroaſter eſtabliſhed ſuperſtitions in matters of worſhip; the purity of his morality renders it more ſo, that he had no intention to impoſe or pervert; and that in proportion as he gave way to errors in dogmas, he guarded againſt the poſſibility of erring in teaching virtue.

XL.

Of the Brachmans.

THE Bramins, or Brachmans, probably exiſted as an order long before the five kings of the Chineſe. What corroborates this opinion is, that Indian antiquities are enquired into with the greateſt avidity in China, and that in India they have no notion of Chineſe antiquities.

It is not to be doubted but thoſe ancient Bramins were as bad metaphyſicians and abſurd theologiſts as the Chaldeans and Perſians, or as all the nations to the eaſt of China. But what ſublime morality! Life, according to them, was only death of ſome continuance, after which they were to live with the Deity. They did not limit their duty to juſtice in

regard to others; they were auſtere in regard to themſelves; their principal duties were ſilence, abſtinence, contemplation, and a renunciation of all pleaſures. All the ſages of other nations reſorted to them to be inſtructed in what was called wiſdom.

XLI.

Confucius.

THE Chineſe have not, like other nations, any ſuperſtition, or any quackery, to reproach themſelves with. The government of China proved to mankind above four thouſand years ago, and it continues to prove to them, that they may be governed without being deceived; that the God of truth is not to be ſerved by falſehood; and that ſuperſtition is not only uſeleſs but deſtructive to religion. The adoration of the Deity was never ſo pure and ſo holy as in China (nearly equal to that preſcribed by Revelation). I do not ſpeak of the ſects among the people; I ſpeak of the religion of the prince; that of the tribunals; all above that of the populace. What, for a great number of ages, was the religion of all ſenſible men in China? It was, "Adore Heaven and be juſt." None of its emperors ever had any other.

The great Confutſé, whom we call Confucius, is frequently placed among ancient legiſlators; among the founders of religion: but this is owing to inadvertence. Confucius is very modern; he lived only ſix hundred and fifty years before the preſent æra. He never inſtituted any worſhip, any rites; he neither called himſelf inſpired or a prophet; he only formed into a body the ancient laws of morality.

He perſuades men to forgive injuries and to remember nothing but benefits.

He

He adviſes that every man ſhould watch carefully over himſelf; and to correct on each day the faults of the former.

To ſuppreſs his paſſions; to cultivate friendſhip; to give without oſtentation, and to receive without meanneſs and only in extreme neceſſity.

He does not ſay, you ſhall not do unto others what you would not they ſhould do unto you; this is only forbidding injury: he goes further, and recommends goodneſs; "Treat another as you would "wiſh to be treated."

He enjoins not only modeſty, but even humility; and he recommends all the virtues.

XLII.

Of the Grecian Philoſophers; and firſt of Pythagoras.

IN natural philoſophy and in metaphyſicks all the great philoſophers have talked idly. In morality they are all admirable; they are all equal to Zoroaſter, Confucius and the Brachmans. Read the golden verſes of Pythagoras; they are the epitome of his doctrines; it is not material from whom they come. Tell me only if one virtue is overlooked.

XLIII.

Zaleucus.

BRING together your common-place obſervations, ye preachers of Greece, Italy, Spain, Germany, France, &c. let the very eſſence of all your declamations be diſtilled; and ſhall we obtain an extract more pure than the exordium to the laws of Zaleucus?

"Govern

" Govern your own ſoul; purify it; drive from " it all guilty thoughts; believe that the Deity " cannot be properly ſerved by thoſe who are per- " verted; be aſſured he has not the leaſt reſem- " blance to thoſe weak mortals who are ſeduced by " praiſes or by preſents: virtue alone can pleaſe " him."

This is an epitome of all morality and of all religion.

XLIV.

Epicurus.

THE pedants of colleges, and the coxcombs of ſeminaries, have ſuppoſed, from ſome pleaſant paſſages of Horace and Petronius, that Epicurus taught voluptuouſneſs by precept and example. Epicurus, throughout his life, was a wiſe, temperate and juſt philoſopher. He ſhewed his wiſdom at the age of twelve or thirteen; for when the grammarian who taught him, recited this verſe of Heſiod,

" Chaos was produced the firſt all beings—"

If he was the firſt, ſaid Epicurus, who produced him? I cannot tell, ſaid the grammarian; the philoſophers only know. I will then go to the philoſophers to be inſtructed, ſaid the child; and from that time to the age of ſeventy-two, he cultivated philoſophy. Diogenes Laertius has preſerved his will entire; and it diſplays a ſoul tranquil and juſt: he gave thoſe ſlaves their liberty whom he thought deſerving of ſuch an indulgence; and recommended it to the executors of his will to give any others their liberty who ſhould appear worthy of it. There is thro' the whole of it no oſtentation, no unjuſt partialities.

tialities. It expreſſed the laſt wiſhes of a man, who had never had any, but ſuch as were reaſonable. Different from all philoſophers, his diſciples were his friends; and his ſect was the only one in which men were taught to love, and which did not run into various diviſions.

After having examined his doctrine, and conſidering all that has been written for and againſt him, it appears, that the whole is included in the diſpute between Mallebranche and Arnaud. Mallebranche aſſerted, that pleaſure made us happy; Arnaud denied it. It was a diſpute on words, like many other diſputes, in which the contending parties are ſupplied with uncertainties by philoſophy and theology.

XLV.

The Stoics.

IF the Epicureans rendered human nature amiable, the Stoics rendered it almoſt divine. To be reſigned to the Being of Beings; or rather to elevate the ſoul to that Being; contempt of pleaſure, contempt even of pain; contempt of life and even of death; to be rigid and inflexible in whatever related to juſtice: ſuch was the character of real Stoics; and all objections to them aroſe from the diſcouragement they threw in the way of other men.

Socrates, who was not of their ſect, ſhewed clearly that the virtues could not be improved ſo highly without being of ſome party; and the death of this martyr to the Divinity, is an eternal diſhonour to Athens, though ſhe repented of it afterwards.

On the other hand, Cato the ſtoic, will reflect eternal honour upon Rome. Epictetus in ſlavery, is, perhaps, ſuperior to Cato, becauſe he is always contented in his miſery. "I am," ſaid he, "in the

"very

" very place which Providence deſigned I ſhould " occupy; to complain therefore is to offend him."

Shall I affirm, that Antoninus the emperor, is ſtill ſuperior to Epictetus, as he triumphed over more ſeductions; and for an emperor to keep clear of corruption, was much more difficult than for a poor wretch not to complain? Read the thoughts of each; and the emperor and the ſlave will appear equally great.

May I venture to mention the emperor Julian? In regard to dogmas he erred; but certainly not in regard to morals. In ſhort, there has been no philoſopher in all antiquity, who has not been deſirous of making men better.

We have had perſons among us who have ſaid, that all the virtues of theſe great men have been illuſtrious ſins. Would to God, the earth were covered with ſuch criminals!

XLVI.

Philoſophy is Virtue.

THERE have been ſophiſts who, with regard to philoſophers, were what men * are to monkies. Lucian ridiculed them; and they became contemptible. They were then what our mendicant monks are in univerſities. But we are never to forget, that all philoſophers have ſet great examples of virtue; and that ſophiſts and even monks have reſpected it in their writings.

* M. De Voltaire probably meant what monkies are to men. T.

XLVII. *Æſop.*

XLVII.

Æſop.

I SHALL rank Æſop with theſe great men. I ſhall even put him at their head. Whether he was the Pilpay of India; or the ancient forerunner of Pilpay; or the Lokman of the Perſians; or the Akkim of the Arabians; or the Hacam of the Phœnicians, is of no conſequence. His fables were in requeſt among all the nations of the eaſt; and that his origin is loſt in an abyſs of antiquity which cannot be fathomed. What is the purport of theſe fables; as profound as they are ingenious; theſe apologues, which appear evidently to have been written when it was not doubted that the brutes had a language? They have afforded inſtructions to the greater part of our hemiſphere. They do not conſiſt of pompous phraſes, which tire more than they inſtruct; they are truth, attired in the alluring charms of fable. All that modern languages have been able to add to them, has been a little ornament. In the primitive author this ancient wiſdom is ſimple and naked. The unaffected graces with which they have been embelliſhed in France, have not concealed their original elegance. What is principally taught by theſe fables? To be juſt.

XLVIII.

Peace born of Philoſophy.

AS philoſophers have not been unanimous on dogmas, and have maintained different ones, it follows, that virtue and dogma are things of a different nature.

nature. Whether they did or did not believe that Thetis was the goddeſs of the ocean; whether they gave credit to the ſtories of the war of the giants; of the golden age; of Pandora's box; the death of the ſerpent Python, &c. theſe doctrines had nothing in common with morals. It was admirably contrived in ancient nations, that their theogony never interrupted their peace.

XLIX.

Other Queſtions.

OH, that we could imitate antiquity! that we were able, in regard to theological contentions, to do what, at the end of a thouſand and ſeven hundred years, we have done in regard to the *belles lettres*.

After having been plunged into the barbariſm of the ſchools, we have recovered the taſte of pure antiquity. The Romans were never ſo ridiculous as to ſuppoſe, a man was to be perſecuted, becauſe he believed in a vacuum or in a plenum; becauſe he was of opinion, that accidents could not ſubſiſt without ſubjects; becauſe he interpreted the meaning of an author, in a manner directly contrary to that of another.

We have recourſe daily to the Roman juriſprudence; and when we ſtand in need of laws (which is often the caſe) we recur to the code and to the pandects. Why not imitate the wiſdom of our maſters, in toleration?

Of what importance is it to the ſtate, that our opinions ſhould be thoſe of the reals or of the nominals; that we ſhould adhere to Scotus or Aquinas, to Oecolampade or Melancthon; that we ſhould be of the party of the biſhop of Ypres, whoſe works we have not read; or that of a Spaniſh monk, whoſe productions we are ſtill leſs likely to have peruſed?

Is

Is it not demonſtrable, that all theſe things ſhould be held of as little importance to the intereſt of the ſtate, as a good or bad tranſlation of a paſſage of Lycophron or of Heſiod?

L.

Other Queſtions.

I KNOW that ſome men have been greatly indiſpoſed in their brain. We have known a muſician die mad, becauſe his muſic did not appear ſufficiently good. Some people have imagined, that their noſes were made of glaſs: but if any were ſo violently ſeized as to ſuppoſe, that they were always in the right, where could a ſufficient quantity of hellebore be obtained for ſo extraordinary a diſtemper?

And if, to prove they were always in the right, theſe diſordered wretches were to threaten with the extremeſt puniſhments thoſe who thought them miſtaken; if they appointed ſpies to diſcover all refractory perſons; if they adjudged a father on the teſtimony of his ſon, or a mother on that of her daughter, to periſh in the flames; ſhould not theſe perſons be tyed down and treated like thoſe who are actually mad?

LI.

Ignorance.

IT may be aſked, to what purpoſe this ſermon, if man be not free? I did not ſay, that man was not free. I told you, his liberty conſiſted in his power to act, and not in the chimerical faculty of *willing to will.*

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will. I now obſerve to you, all things having a connection in nature, the eternal Providence pre-ordained that I ſhould write theſe reveries; that five or ſix readers ſhould reap ſome advantage from them, and that five or ſix others ſhould deſpiſe, and leave them among that immenſe multitude of writings which are of no uſe.

If you tell me, that I have given you no information, let it be remembered, at ſetting out, I anounced myſelf ignorant.

LII.

Other Kinds of Ignorance.

MY ignorance is ſo great, that I have no knowledge of thoſe ancient facts, with which I am lulled to ſleep like an infant in a cradle. I am always apprehenſive of committing a miſtake of ſeven or eight hundred years at leaſt, when I enquire concerning the time in which thoſe ancient heroes lived, who firſt exerciſed the profeſſion of robbers and freebooters through a great extent of country; and thoſe firſt ſages, who adored ſtars and fiſhes, ſerpents, dead carcaſes, or chimerical beings.

Who was the man that firſt invented the ſix Gahambars, the bridge of Iſhinavar, Dardaroth, and the Lake of Charon? At what time lived the firſt Bacchus, and the firſt Hercules?

The darkneſs of antiquity is ſo great, until the time of Thucidides and Xenophon, that it is hardly poſſible I ſhould know any thing that has been tranſacted on the globe which I inhabit, before the ſhort ſpace of about thirty centuries; and in this thirty centuries, how many uncertainties, how many fables!

LIII.

Greater Ignorance.

MY ignorance is of much greater importance to me, when I obſerve, that neither I nor any of my countrymen have any certain knowledge concerning our own country. I aſked Apedeutes, a native of Courland, and my friend, whether he knew any thing of the ancient people of the North, his neighbours, or of his unfortunate little country? He ſaid, he had no more idea of them, than the fiſhes had in the Baltick.

For me, I know no more of my country than what was ſaid by Cæſar, one thouſand and eight hundred years ago, that we were banditti, who had the cuſtom of ſacrificing men to I know not what kind of gods, that they might grant us good booty; and that we never went to the chace, without being accompanied by old witches, who offered up theſe fine ſacrifices.

A century afterwards, Tacitus ſaid a few things concerning us, without having ever ſeen us. He deſcribes us a people of the utmoſt honeſty compared to the Romans; for he declares, when we had nobody to rob, that we ſpent days and nights in our cabins, getting drunk on bad beer.

From this our golden age, there is an immenſe void, till the commencement of the hiſtory of Charlemagne. When I have brought myſelf into theſe times, which are conſidered as known, I find in Golſtad, a charter of Charlemagne, dated at Aix-la-Chapelle, in which the learned emperor expreſſes himſelf thus: "You know, that as I was hunting "one day near this city, I diſcovered the hot baths, "and the palace, which Granus, brother to Nero "and Agrippa, formerly built."

This Granus, and this Agrippa, brothers to Nero, are proofs to me, that Charlemagne was as ignorant as myſelf, and this gives me comfort.

LIV.

Ignorance, which is ridiculous.

THE hiſtory of the church eſtabliſhed in my country, has a great reſemblance to that of Granus, brother of Nero and Agrippa; and is even more ridiculous. Here we find little boys riſen from the dead; dragons taken by throwing a garment over them, as rabbits in a ſnare; conſecrated wafers bleeding at a ſtroke given by a Jew with a knife; ſaints, when their heads were cut off, running after thoſe heads. One of the legends, which are beſt atteſted in our German Eccleſiaſtical Hiſtory, is that of the fortunate Peter of Luxemburg, who worked two thouſand four hundred miracles, in the one thouſand three hundred eighty-eighth and eighty-ninth year after his death; and in ſome following years, three thouſand; of which a clear account was kept. Among theſe, however, there are but forty-two, who were made to riſe from the dead.

I am now engaged in the enquiry, whether the eccleſiaſtical hiſtories of the other ſtates of Europe, are equally marvellous and authentic? I find every where, the ſame kind of wiſdom, and the ſame degree of certainty.

LV.

Worſe than Ignorance.

I AFTERWARDS diſcovered the cauſe of thoſe inexplicable abſurdities, on account of which men pronounced curſes on each other; hated each other; pre-

perſecuted, cut the throats of each other; hanged, tortured, and burnt each other: and I ſaid, if there had been a wiſe man in thoſe deteſtable times, it would have been neceſſary he ſhould have lived and died in a deſart.

LVI.

The Dawn of Reaſon.

I FIND at this very time, in this period, which is the dawn of reaſon, that ſome of the heads of that hydra, Fanaticiſm, are again ſpringing up: their poiſon however is apparently leſs mortal, and their jaws leſs voracious than they have been. There has not been altogether ſo much blood ſpilt for verſatile grace, as there continued to be a great while for plenary indulgences, ſold at market: but the monſters live ſtill. Every man, who ſearches for truth, muſt incur the danger of being perſecuted. Are we to remain in darkneſs unemployed? Or muſt we light a flambeau, at which envy and calumny may rekindle their torches? For my own part, I am no more of opinion, that truth ſhould be concealed before theſe monſters, than that we ſhould avoid taking nouriſhment, leſt we ſhould be poiſoned.

SUPPLEMENT

TO THE

IGNORANT PHILOSOPHER.

André des Touches, at Siam.

ANDRÉ des Touches was a very agreeable muſician, in the brilliant reign of Louis XIV. before the ſcience of muſic was perfected by Rameau; and before it was corrupted by thoſe who prefer the art of ſurmounting difficulties, to nature and the real graces of compoſition.

Before he had recourſe to theſe talents, he had been a muſketeer; and before he had been a muſketeer, in 1688, he went into Siam with the Jeſuit Tachard, who beſtowed on him many particular marks of his affection, for the amuſement he afforded him on board the ſhip; and Des Touches ſpoke with admiration of father Tachard for the reſt of his life.

At Siam, he became acquainted with the firſt commiſſary of Barcalon, whoſe name was Croutef: and he committed to writing moſt of thoſe queſtions which he

he aſked of Croutef, and the anſwers of that Siameſe. The following are juſt as they were found among his papers.

DES TOUCHES.

How many ſoldiers have you?

CROUTEF.

Fourſcore thouſand, very indifferently paid.

DES TOUCHES.

And how many Talapolins.

CROUTEF.

A hundred and twenty thouſand; very idle and very rich. It is true, that in the laſt war, we were well beaten; but our Talapolins have lived ſumptuouſly, built fine houſes, and kept beautiful girls.

DES TOUCHES.

Nothing could have diſcovered more wiſdom or judgment. And your finances, in what ſtate are they?

CROUTEF.

In a very bad ſtate. We have however, about ninety thouſand men employed to render them proſperous; and if they have not ſucceeded, it has not been their fault; for there is not one of them, who does not honourably ſeize, all that he can get poſſeſſion of, and ſtrip and plunder thoſe who cultivate the ground for the good of the ſtate.

DES TOUCHES.

Bravo! And is not your juriſprudence as perfect as the reſt of your adminiſtration?

CROUTEF.

It is much ſuperior. We have no laws; but we have five or ſix thouſand volumes on the laws. We are governed in general by cuſtoms; for it is known, that a cuſtom having been eſtabliſhed by chance, is the wiſeſt principle which can be imagined. Beſides, all cuſtoms being neceſſarily different in different provinces, as the clothes and head-dreſſes of the people, the judges may chuſe at their pleaſure, a cuſtom which prevailed four hundred years ago, or one which prevailed laſt year; it occaſions a variety in our legiſlation, which our neighbours are for ever admiring. This yields a certain fortune to practitioners; it is a reſource for all pleaders who are deſtitute of honour; and a paſtime of infinite amuſement for the judges who can with ſafe conſciences decide cauſes without underſtanding them.

DES TOUCHES.

But in criminal caſes—you have laws which may be depended upon.

CROUTEF.

God forbid! We can condemn men to exile, to the gallies, to be hanged; or we can diſcharge them, according to our own fancy. We ſometimes complain of the arbitrary power of the Barcalon; but we chuſe that all our deciſions ſhould be arbitrary.

DES TOUCHES.

That is very juſt. And the torture—Do you put people to the torture?

CROUTEF.

It is our greateſt pleaſure. We have found it an infallible ſecret to ſave a guilty perſon, who has vigorous

gorous muſcles, ſtrong and ſupple hamſtrings, nervous arms and firm loins; and we gaily break on the wheel, all thoſe innocent perſons, to whom Nature has given feeble organs. It is thus, we conduct ourſelves with wonderful wiſdom and prudence. As there are half-proofs, I mean half truths, it is certain there are perſons who are half innocent and half guilty. We commence therefore by rendering them half dead; we then go to breakfaſt; afterwards enſues intire death, which gives us great conſideration in the world, which is one of the moſt valuable advantages of our offices.

DES TOUCHES.

It muſt be allowed, that nothing can be more prudent and humane. Pray tell me, what becomes of the property of the condemned?

CROUTEF.

The children are deprived of it. For you know, that nothing can be more equitable, than to puniſh the ſingle fault of a parent on all his deſcendants.

DES TOUCHES.

Yes. It is a great while ſince I have heard of this juriſprudence.

CROUTEF.

The people of Laos, our neighbours, admit neither the torture, nor arbitrary puniſhments, nor the different cuſtoms, nor the horrible deaths which are in uſe among us; but we regard them as barbarians, who have no idea of good government. All Aſia is agreed, that we dance the beſt of its inhabitants; and that, conſequently, it is impoſſible they ſhould come near us in juriſprudence, in commerce, in finance, and above all, in the military art.

DES TOUCHES.

Tell me, I beſeech you, by what ſteps men arrive at the magiſtracy in Siam?

CROUTEF.

By ready money. You perceive, that it may be impoſſible to be a good judge, if a man has not by him thirty or forty thouſand pieces of ſilver. It is in vain a man may be perfectly acquainted with all cuſtoms; it is to no purpoſe, that he has pleaded five hundred cauſes with ſucceſs, that he has a mind which is the ſeat of judgment, and a heart replete with juſtice; no man can become a magiſtrate without money. This, I ſay, is the circumſtance which diſtinguiſhes us from all Aſia; and particularly from the barbarous inhabitants of Laos, who have the madneſs to recompenſe all kinds of talents, and not to ſell any employment.

André des Touches, who was apt to be a little off his guard, as moſt muſicians are, ſaid to the Siameſe, that moſt of the airs, which he had juſt ſung, ſounded diſcordant to him; and wiſhed to receive ſome real information concerning the Siameſe muſic. But Croutef, full of his ſubject, and enthuſiaſtic for his country, continued in theſe words: "What does it "ſignify, that our neighbours, who live beyond our "mountains, have better muſic than we have, or "better pictures; provided we have always wiſe and "humane laws? It is in that circumſtance we ex-"cel. For example, there are a thouſand caſes, in "which a girl has been brought to-bed of a dead "child, in which we repair the loſs of the child by "hanging the mother; by that means, we prevent "her ever having a falſe birth.

"If a man has adroitly ſtolen three or four hun-"dred thouſand pieces of gold, we reſpect him; "and we go and dine with him. But if a poor ſer-

" vant gets awkwardly into his poſſeſſion three or four " pieces of copper out of his miſtreſs's box, we " never fail of putting that ſervant to a public death; " firſt, leſt he ſhould not correct himſelf; ſecondly, " that he may not have it in his power to produce a " great number of children for the ſtate, one or two " of which might poſſibly ſteal a few little pieces of " copper, or become great men; thirdly, becauſe it " is juſt to proportion the puniſhment to the crime, " and that it would be ridiculous to give any uſeful " employment in a priſon to a perſon guilty of ſo " enormous a crime.

" But we are ſtill more juſt, more merciful, more " reaſonable in the chaſtiſements, which we inflict " on thoſe who have the audacity to make uſe of " their legs to go wherever they chuſe. Thoſe " warriors who ſell us their lives, we treat ſo well; " we give them ſo prodigious a ſalary; they have " ſo conſiderable a part in our conqueſts, that they " muſt be the moſt criminal of all men, to wiſh to " return to their parents on the recovery of their " reaſon, becauſe they had been enliſted in a ſtate of " intoxication. We lodge about a dozen leaden " balls in their heads, to oblige them to remain in " one place; after which they become infinitely uſe- " ful to their country.

" I will not ſpeak of a great number of excellent " inſtitutions, which do not go ſo far as to ſhed the " blood of men, but which render life ſo pleaſant " and agreeable, that it is impoſſible the guilty " ſhould avoid becoming virtuous. If a farmer has " not been able to pay exactly a tax which exceeds " his ability, we ſell the pot in which he dreſſes his " proviſions; we ſell his bed, in order to put him in " a better condition to cultivate the earth, being re- " lieved of his ſuperfluities."

DES TOUCHES.

That is extremely harmonious! it would make a fine concert.

CROUTEF.

To comprehend our profound wiſdom, you muſt know that our fundamental principle, is to acknowledge, in many places, as our ſovereign, a ſhaven-headed foreigner, who lives at the diſtance of nine hundred miles from us. When we aſſign ſome of our richeſt territories to any one of our Talapoins, which it is very prudent in us to do, that Siameſe Talapolin, muſt pay the revenue of his firſt year to that ſhaven-headed Tartar, without which, it is clear, our lands would be unfruitful.

But the time, the happy time is no more, when that tonſured prieſt induced one half of the nation to cut the throats of the other half, in order to decide, whether *Sammonocodom* had played at *Leap-frog* or at *My Lady's Hole*; whether he had been diſguiſed in an elephant or in a cow; if he had ſlept three hundred and ninety days on the right ſide, or on the left. Thoſe grand queſtions, which ſo eſſentially affect morality, agitated all minds; they ſhook the world; blood flowed plentifully for it; women were maſſacred on the bodies of their huſbands; they daſhed out the brains of their little infants on the ſtones, with a devotion, with a grace, with a contrition truly angelic. Woe to us! degenerate offſpring of pious anceſtors, who never offer ſuch holy ſacrifices! But, heaven be praiſed, there are yet amongſt us, at leaſt a few good ſouls, who would imitate them, if they were permitted.

DES TOUCHES.

Tell me, I beſeech you, Sir, if at Siam you divide the tone major into two commas, or into two ſemi-

commas; and if the progreſs of the fundamental ſounds are made by 1, 3 and 9?

CROUTEF.

By *Sammonocodom*, you are laughing at me. You obſerve no bounds; you have interrogated me on the form of our government, and you ſpeak to me of muſic!

DES TOUCHES.

Muſic is every thing: it was at the foundation of all the politicks of the Greeks. But I beg your pardon; you have not a good ear; and we will return to our ſubject. You ſaid, that in order to produce a perfect harmony—

CROUTEF.

I was telling you, that formerly the tonſured Tartar pretended to diſpoſe of all the kingdoms of Aſia; which occaſioned ſomething very different from perfect harmony; but a very conſiderable benefit reſulted from it; people were much more devout towards *Sammonocodom* and his elephant than at theſe times, in which all the world pretends to common ſenſe with an indiſcretion which is truly pitiable. However, all things go on; people divert themſelves, they dance, they play, they dine, they ſup, they make love; this makes every man ſhudder who entertains good intentions.

DES TOUCHES.

And what would you have more? You only want good muſic. If you had good muſic, you might call your nation the happieſt in the world.

A ſhort Digreſſion.

WHEN the hoſpital of the Quinze Vingt was firſt founded, it is known the penſioners were all equal, and that their little affairs were concluded upon by a majority of votes. They diſtinguiſhed perfectly by the touch between copper and ſilver coin; they never miſtook the wine of Brie for that of Burgundy. Their ſenſe of ſmelling was finer than that of their neighbours who had the uſe of two eyes. They reaſoned very well on the four ſenſes; that is, they knew every thing they were permitted to know, and they lived as peaceably and as happily as blind people could be ſuppoſed to do. But unfortunately one of their profeſſors pretended to have clear ideas in reſpect to the ſenſe of ſeeing, he drew attention; he intrigued; he formed enthuſiaſts; and at laſt he was acknowledged the chief of the community. He pretended to be a ſovereign judge of colours, and every thing was loſt.

This dictator of the *Quinze Vingt* choſe at firſt a little council, by the aſſiſtance of which he got poſſeſſion of all the alms. On this account, no perſon had the reſolution to oppoſe him. He decreed, that all the inhabitants of the Quinze Vingt were cloathed in white; the blind penſioners believed him; and nothing was to be heard but their talk of white garments, though there was not one of them of that colour. All their acquaintance laughed at them; they made their complaints to the dictator, who received them very ill; he rebuked them as innovators, free-thinkers, rebels, who had ſuffered themſelves to be ſeduced by the errors of thoſe who had eyes, and who preſumed to doubt that their chief was infallible. This contention gave riſe to two parties.

To

To appeaſe the tumult, the dictator iſſued a decree, importing that all their veſtments were red. There was not one veſtment of that colour in the *Quinze Vingt*. The poor men were laughed at more than ever. Complaints were again made by the community. The dictator ruſhed furiouſly in; and the other blind men were as much enraged; they fought a long time; and peace was not reſtored until all the members of the *Quinze Vingt* were permitted to ſuſpend their judgments in regard to the colour of their dreſs.

A deaf man, reading this little hiſtory, allowed that theſe people being blind, were to blame in pretending to judge of colours; but he remained ſteady to his own opinion, that thoſe perſons who were deaf, were the only proper judges of muſic.

AN

INDIAN ADVENTURE;

Tranſlated by the Ignorant Philoſopher.

ALL the world knows, that Pythagoras, while he reſided in India, attended the ſchool of the Gymnoſophiſts, and learned the language of beaſts and plants. One day, while he was walking in a meadow near the ſea-ſhore, he heard theſe words:—— "How unfortunate that I was born an herb! I "ſcarcely attain two inches in height, when a vo- "racious monſter, an horrid animal, tramples me "under his large feet; his jaws are armed with "rows of ſharp ſcythes, by which he cuts, then "grinds, and then ſwallows me. Men call this "monſter a ſheep. I do not ſuppoſe there is in the "whole creation a more deteſtable creature."

Pythagoras proceeded a little way and found an oyſter yawning on a ſmall rock. He had not yet adopted that admirable law, by which we are enjoined not to eat thoſe animals which have a reſemblance to us. He had taken up the oyſter to ſwallow it, when it ſpoke theſe affecting words: "O, "Nature, how happy is the herb, which is, as I am, "thy work! though it be cut down, it is regenera- "ted and immortal; and we, poor oyſters, in vain "are defended by a double cuiraſs: villains eat us "by dozens at their breakfaſt, and all is over with us "for ever. What a horrible fate is that of an oy- "ſter, and how barbarous are men!"

Pythagoras ſhuddered; he felt the enormity of the crime he had nearly committed; he begged pardon of the oyſter with tears in his eyes, and he replaced him very carefully on the rock.

As

As he was returning to the city, profoundly meditating on this adventure, he ſaw ſpiders devouring flies; ſwallows eating ſpiders, and ſparrow-hawks eating ſwallows. None of theſe, ſaid he, are philoſophers.

On his entrance, Pythagoras was ſtunned, bruiſed, and thrown down by a mob of tatterdemalions, who were running and crying, "Well done, he fully de-"ſerved it." Who? What? ſaid Pythagoras, as he was getting up. The people continued running and crying, "O how delightful it will be to ſee "them broil!"

Pythagoras ſuppoſed they meant lentiles, or ſome other vegetables: but he was in an error; they meant two poor Indians. Oh! ſaid Pythagoras, theſe Indians, without doubt, are two great philoſoſophers weary of their lives; they are deſirous of regenerating under other forms; it affords pleaſure to a man to change the place of his reſidence, though he may be but indifferently lodged: there is no diſputing on taſte.

He proceeded with the mob to the public ſquare, where he perceived a lighted pile of wood, and a bench oppoſite to it, which was called a tribunal. On this bench judges were ſeated, each of whom had a cow's tail in his hand, and a cap on his head with ears, reſembling thoſe of the animal which bore Silenus when he came into that country with Bacchus, after having croſſed the Erytrean ſea without wetting a foot, and ſtopping the ſun and moon; as it is recorded with great fidelity in the Orphicks.

Among theſe judges there was an honeſt man with whom Pythagoras was acquainted. The Indian ſage explained to the ſage of Samos the nature of that feſtival to be given to the people of India.

Theſe two Indians, ſaid he, have not the leaſt deſire of being committed to the flames. My grave brethren have adjudged them to be burnt; one for ſaying, that the ſubſtance of Xaca is not that of Brama;

ma; and the other for ſuppoſing, that the approbation of the Supreme Being was to be obtained at the point of death without holding a cow by the tail; becauſe, ſaid he, we may be virtuous at all times, and we cannot always have a cow to lay hold of juſt we may have occaſion. The good women of the city were greatly terrified at two ſuch heretical opinions; they would not allow the judges a moment's peace until they ordered the execution of thoſe unfortunate men.

Pythagoras was convinced, that from the herb up to man, there were many cauſes of chagrin. However, he obliged the judges and even the devotees to liſten to reaſon, which happened only at that time.

He went afterwards and preached toleration at Crotona; but a bigot ſet fire to his houſe, and he was burnt—the man who had delivered the two Hindoo's from the flames! Let thoſe ſave themſelves who can!

A SHORT

A SHORT
COMMENTARY,

By the Ignorant Philoſopher,

On the Eulogium of the Dauphin of France, compoſed by Mr. Thomas.

I HAVE latelely read, in the eloquent diſcourſe of Mr. Thomas, theſe remarkable words:

" The Dauphin peruſed with delight thoſe books " where a ſoft humanity paints all men, even thoſe " who are in error, as a ſociety of brethren. Was " it likely, therefore, that he ſhould have been either " a perſecutor or of a cruel diſpoſition? Would he " have adopted the fierce ſpirit of thoſe, who call " miſtakes crimes, and will put men to the torture " in order to inform them? Ah! ſaid he, more than " once, Let us not perſecute."

Theſe words affected my heart. I exclaimed, What miſcreant will preſume to perſecute, when the heir of a great kingdom has ſaid, that no man ſhould perſecute? This prince ſaw plainly that perſecution produces nothing but miſchief; he was well acquainted with books; and philoſophy had made its way even to him. The greateſt happineſs that can befal a monarchy, is that a prince ſhould be well informed. Henry IV. had not read much. For except Montaigne, who is not fixed and determined in any thing, and teaches us only to doubt, there were no books at that time, but wretched treatiſes of controverſy, not worthy the notice of

a king. But Henry IV. was educated by adverſity; by the experience of a private and public life; in ſhort, by his own genius. Having ſuffered from perſecution, he was not a perſecutor. He was more of a philoſopher than he imagined, while in the din of arms, harraſſed by the factions of the ſtate, the intrigues of a court, and the fury of two contending ſects. Louis XIII. read nothing; knew nothing; ſaw nothing: he permitted perſecution:

Louis XIV. had very good ſenſe; a ſtrong deſire of glory, which led him to goodneſs; an accurate judgment, and a noble heart: but unfortunately Cardinal Mazarine did not improve ſo promiſing a diſpoſition. He deſerved to have been inſtructed, but he was ignorant. His confeſſors in time got an aſcendancy over him; he then perſecuted and did miſchief. What! was a Sacis, an Arnauld, and many other great men, impriſoned and exiled—On what account? Becauſe they did not think like two Jeſuits at court. At laſt his whole kingdom was in flames for a bull! Fanaticiſm and Knavery, it is true, obtained the bull, Ignorance accepted it, and it was oppoſed by Obſtinacy. None of theſe things could have ariſen under a prince who was capable of eſtimating the real value of efficacious, ſufficient, or even verſatile grace.

I am not ſurprized, that the Cardinal de Lorrain ſhould have perſecuted thoſe weak perſons who wiſhed to bring back things to the primitive inſtitutions of the church: the Cardinal would have been deprived of ſeven biſhopricks, and many rich abbeys, which were in his poſſeſſion. This is a good reaſon for perſecuting thoſe who are not of our opinion. No man ſurely can be more deſerving of puniſhment, than he who would take away our revenues. This is the common occaſion of war among mankind. All defend their property to the utmoſt of their power. But that in the very boſom of peace, inteſtine wars ſhould ariſe from tales idle, incomprehenſible, and purely

purely metaphyſical; that under the dominion of Louis XIII. in the year one thouſand ſix hundred and twenty-four, it ſhould be forbidden, under the penalty of being ſent to the gallies, to think otherwiſe than Ariſtotle; that the innate ideas of Deſcartes ſhould firſt be anathematized, and afterwards admitted; that ſeveral ſubjects ſuited only to Rabelais, ſhould be made queſtions of ſtate; all this is barbarous and abſurd.

The queſtion has been often aſked, Why the Romans never perſecuted a ſingle philoſopher for his opinions from the time of Romulus till the Popes got poſſeſſion of their power? The only anſwer to be given is—That the Romans were wiſe.

Cicero was a man poſſeſſed of great power. In one of his letters he ſays, "Conſider to whom you "would wiſh that I ſhould procure the government "of Gaul." He was greatly attached to the Academic ſect: but we do not find that he ever entertained a thought of baniſhing a Stoic, of excluding an Epicurean from office, or moleſting a Pythagorean.

And thou, unfortunate Jurieu, an exile from thy own village, wert deſirous of perſecuting the exile Bayle in the place which afforded you both an aſylum. Spinoſa, of whom thou wert not jealous, was ſuffered to remain in peace; but the reſpectable Bayle thou wert induſtrious to overwhelm, becauſe he deſtroyed thy trifling reputation with the luſtre of his fame.

The deſcendant and heir to thirty kings hath ſaid, Let us not perſecute; and the burgeſs of a little city which is barely known, a man who is merely entitled to the rights of a pariſhioner, or a monk, ſhall ſay, Let us perſecute.

To wreſt from man his liberty of thought! Juſt heaven! Fanatic tyrants! You had better firſt cut off our hands, that we may not write; tear out our tongues that ſpeak againſt you; pluck out our ſouls, whoſe thoughts of you are really horrible.

There are countries where a ſuperſtition, as abominable as it is barbarous, converts men into brutes; there are others, where the mind of man enjoys all its privileges; between theſe heavenly and infernal extremes, there is a people in a middle ſtate, among whom philoſophy is at one time countenanced, and at another time proſcribed; where at one time Rabelais has been printed by authority, and at another, Arnauld has been ſuffered to periſh in a diſtant village, and in extreme want; a people who have lived in the thickeſt darkneſs from the time of the Druids, until ſome lucid rays fell on them from the head of Deſcartes. Since that time, the day expanded itſelf from England. But is it to be credited, that thirty years ago this people ſcarcely knew the name of Locke? Will it it be credited, that when the wiſdom of this man was made known to them, the perſon who brought it from the iſland of philoſophers into the country of frivoloufneſs, was violently oppreſſed by ignorant men in office?

While thoſe were perſecuted who informed the mind, this fury was extended to thoſe alſo who ſaved the body. It has been proved to no purpoſe, that inoculation might preſerve yearly twenty-five thouſand lives in a great kingdom; the benefactors of human nature have been treated by its enemies as public poiſoners. If, unfortunately, much attention had been given them, what would have been the conſequence? The neighbouring nations would have concluded, that the people were equally without reaſon and without courage.

It is very happy, that perſecutions are only temporary, only perſonal; they depend on the caprice of three or four perſons poſſeſſed by the devil, who ſee what others would never ſee while their underſtandings were uncorrupted; they cabal, they combine; a clamour is raiſed; the people are afterwards aſhamed at having joined it, and then all is forgotten.

Per-

Perhaps a man is preſumptuous enough to ſay, not only after all natural philoſophers, but after all other men, that if God had not furniſhed us with hands, there would have been no artiſts nor arts on earth. A ſchoolmaſter, who has been a vinegar maker, pronounces the propoſition impious, on pretence, that the author attributes all things to our hands, and nothing to our intelligence. A monkey would not venture to prefer ſuch an accuſation in the country of monkies. This accuſation, however, has an effect among men. The author is perſecuted furiouſly, and at the end of three months it is thought of no more. Philoſophical books are, in general, like the Tales of La Fontaine: at firſt they were burnt, and in ſome time brought on the ſtage at the comic opera. Why have theſe repreſentations been permitted? Becauſe it was diſcovered, that there was nothing in them but what was laughable. Why does a book that has been prohibited, remain without injury in the hands of the reader? Becauſe it has been found, this book was no way injurious to ſociety; that no citizen has been deprived of a privilege by any abſtracted thoughts, or any diverting ſallies in it; that it has not raiſed the price of proviſions, or prevented the wallets of the Mendicants from being crammed; that it has not in any meaſure diſturbed the commerce of the world, and that in reality the book has only employed the leiſure of a few readers.

In fact, when men perſecute, it is for the pleaſure of perſecuting.

Let us leave the temporary oppreſſions which have been a thouſand times inflicted on philoſophy among us, and let us conſider theological oppreſſions which are more durable. We may trace the ſpirit of diſputation to the primitive ages, and ſee, that two oppoſite ſects have always anathematized each other. Which of the two have been in the right? The ſtrongeſt. Councils contend with councils, until authority and time decide; then the two parties are

united to perſecute a third that riſes up, and this oppreſſes a fourth. We know too well, that blood has been continually ſtreaming for one thouſand five hundred years, occaſioned by theſe diſputes. But men do not ſeem to be ſufficiently ſenſible, that if there had been no perſecution, there had been no religious war.

We ſhould therefore repeat a thouſand times with a dauphin whom we ſo much regret, *Let us perſecute no man.*

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A COM-

A

COMMENTARY

ON THE

MARQUIS BECARIA'S

TREATISE

ON

CRIMES AND PUNISHMENTS.

TRANSLATED FROM THE FRENCH OF

MR. DE VOLTAIRE,

BY THE

REV. DAVID WILLIAMS.

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A COM-

A

COMMENTARY

ON THE MARQUIS BECARIA'S TREATISE ON CRIMES AND PUNISHMENTS.

CHAP. I.

The Occaſion of this Commentary.

FULL of the ſatisfaction I received on reading the little Treatiſe on Crimes and Puniſhments, which is, in morality, what thoſe few remedies are in medicine, by means of which our ſufferings are alleviated; I flattered myſelf it would be the means of ſoftening the remains of barbariſm in the laws of ſome nations. I hoped for ſome amendment of the human race, when I was informed, that in a certain province, a girl of eighteen, had juſt been hanged; beautiful, well made, of uſeful talents, and of a very reputable family. She was guilty of having ſuffered herſelf to become with child; and beſides of having abandoned that child. The unfortunate girl, flying from her father's houſe, was ſeized by the pains of labour; and was delivered alone, and without aſſiſtance, near a foun-

a fountain. Shame, which is a powerful paſſion in the ſex, gave her ſtrength to return to the houſe of her father, and to conceal her condition. She left her child expoſed. The next morning it was found dead; the mother was diſcovered, condemned, and executed.

The firſt fault of this girl ſhould have been buried as a ſecret in her family; or rather, it ſhould have been protected by the laws; becauſe it was incumbent on her ſeducer to repair the injury he had committed; becauſe weakneſs has a claim to indulgence; becauſe every thing ſpeaks in favour of a perſon, who by concealing her pregnancy, often endangers her life; becauſe by declaring her condition, ſhe would have ruined her reputation; and becauſe the difficulty of bringing up her child would have been an addition to her misfortunes.

The ſecond fault was more criminal. She abandoned the fruit of her frailty, and expoſed it to periſh.

But, becauſe a child is dead, muſt the mother alſo be put to death? She had not killed the child. She flattered herſelf, that the innocent creature would excite the compaſſion of ſome paſſenger. It is poſſible ſhe might have intended to return, and to afford it all neceſſary aſſiſtance. This is a ſentiment ſo natural, that it ought to be preſumed in the heart of a mother. Indeed, the law, in the province I ſpeak of, was directly againſt her. But was it not unjuſt, inhuman and pernicious? Unjuſt, becauſe it did not diſtinguiſh between a woman who kills her child, and one who abandons it; inhuman, becauſe it cruelly puts to death an unfortunate perſon, who could be charged only with frailty, and with too great a deſire to conceal her misfortune; pernicious, becauſe it has robbed ſociety of a citizen, who ſhould have furniſhed ſubjects to the ſtate, in a province, where complaints are made of depopulation.

Charity

Charity has not yet erected hoſpitals in this country, where expoſed infants may be brought up; and where charity is wanting, the law is always cruel. It would be much better to prevent thoſe misfortunes, which ſo often occur, than to content ourſelves with puniſhing them. Real juriſprudence conſiſts in preventing crimes, and not in inflicting death on a feeble ſex; when it is evident, that faults have not been accompanied with malice, and that they have coſt the heart not a little.

Inſure, as much as you can, a reſource to thoſe who may be tempted to evil; and you will have little to puniſh.

CHAP. II.

Of Puniſhments.

I WAS ſo much affected by this misfortune, and this ſevere law, as to be induced to caſt my eyes on the criminal code of all nations. The humane author of the Eſſay on Crimes and Puniſhments, had but too much reaſon to complain, that puniſhments often exceeded crimes, and were injurious to the ſtate which they ſhould have benefited.

Thoſe ſtudied puniſhments, where the human mind exerted its utmoſt endeavours to render death horrible, ſeem to be rather the inventions of tyranny than of juſtice.

It was in times of anarchy, that the puniſhment of the wheel was firſt introduced in Germany; when thoſe who ſeized the royal power, determined, by the apparatus of extraordinary torments, to terrify thoſe who might diſpute their authority. In England, they ripped up the belly of a man guilty of high-treaſon, plucked out his heart, threw it in his teeth, and then committed it to the flames. And in what

what did this high treaſon frequently conſiſt? In adhering, during a civil war, to an unfortunate king; or in ſpeaking too plainly on the doubtful claims of a conqueror. In time, theſe manners were meliorated. The Engliſh continue to tear out the heart; but not till after the death of the traitor. The apparatus is dreadful; but the death is mild, if death can be ever ſaid to be mild.

CHAP. III.

Of Puniſhments in Caſes of Hereſy.

IT ſeems to be an act of peculiar tyranny to condemn thoſe to death, who in certain dogmas differ from the ruling religion. The tyrant Maximus was the firſt Chriſtian emperor, who thought of condemning a man to death, merely for points of controverſy. Indeed it is true, that two Spaniſh biſhops, in the reign of Maximus, perſecuted the Priſcilianiſts; but it is no leſs true, that this tyrant only meant to gratify the reigning party with the blood of heretics. Barbarity and juſtice were to him equally indifferent. He was jealous of Theodoſius, a Spaniard like himſelf; and endeavoured to take from him the empire of the Eaſt, in the ſame manner that he obtained the empire of the Weſt. The cruelties of Theodoſius had rendered him hateful; but he had found out the reaſon of attaching to his party all the leaders of the ruling religion. Maximus was deſirous of diſplaying the ſame zeal, and of drawing the Spaniſh biſhops to his faction. He flattered both the old and the new religion. He was as perfidious as he was inhuman; ſo indeed at that time, were all thoſe who either made pretenſions to, or were in poſſeſſion of the empire. That vaſt part of the empire

was governed at that time, as Algiers is at preſent. The army created and dethroned their emperors; and ſometimes choſe them from nations reputed barbarous. Theodoſius brought againſt Maximus the barbarians of Scythia. He was the firſt who filled his army with Goths, and ſurpriſed Alaric, the conqueror of Rome. In this dreadful confuſion, every man endeavoured to increaſe the ſtrength of his party by all means in his power.

The Emperor Gratian, colleague to Theodoſius, having been aſſaſſinated at Lyons by the order of Maximus, the next perſon to be deſtroyed, was Valentinian the Second, who in his infancy had been named at Rome ſucceſſor to Gratian. He ordered troops to be raiſed in Spain, where two Spaniſh biſhops (Idacio and Ithacus, or Itacius) who were perſons of great influence, came and demanded, that Priſcilian and his adherents ſhould be put to death, becauſe they were of opinion, that ſouls were emanations from God; that the Trinity did not contain three hypoſtaſes; and becauſe they carried their impiety ſo far as even to faſt on Sundays. Maximus, half Pagan and half Chriſtian, immediately ſaw the atrociouſneſs of theſe crimes. The holy Biſhops Idacio and Itacius, obtained his permiſſion to put Priſcilian and his adherents to the torture, and then to death. The two biſhops were preſent, that things might be done in order, and they returned, praiſing God, and placing Maximus, the defender of their faith, among the ſaints. But Maximus being defeated afterwards by Theodoſius, and aſſaſſinated at the feet of his conqueror, was not canoniſed.

It may be proper to obſerve, that St. Martin, biſhop of Tours, who was in fact a good man, endeavoured to obtain Priſcilian's pardon. But the biſhops accuſed him of hereſy; and he returned to Tours, leſt he ſhould be put to the torture at Treves.

All the conſolation Priſcilian had, was that of being honoured by his followers as a martyr, after having

ing been hanged. There was a feſtival inſtituted to his memory; and if there were any Priſcilianiſts, it would ſtill be celebrated.

This example made the whole church tremble. But it was ſoon imitated and improved upon. The followers of Priſcilian were put to death by the ſword, the halter, and by being ſtoned. A young lady of quality, at Bourdeaux, was only ſtoned to death, on ſuſpicion of having faſted on a Sunday.* But theſe puniſhments ſeemed not ſufficiently ſevere; it was proved to be the will of God, that heretics ſhould be roaſted at a ſlow fire. The deciſive argument in favour of the opinion was, that God meant to puniſh them in the ſame manner in a future world; and that every prince, every viceroy, nay, the loweſt magiſtrate, is the image of God upon earth.

It was upon this principle throughout the world that they burnt ſorcerers who were evidently under the dominion of the Devil, and heterodox Chriſtians who were conſidered as more criminal and more dangerous.

The hereſy of thoſe prieſts is not certainly known who were burnt at Orleans, in the preſence of King Robert and his Queen Conſtantia, in the year 1022. Indeed how is it poſſible it ſhould be known to us? At that time there was but a ſmall number of clerks and monks who could write. All that we are ſure of is, that Robert and his queen feaſted their eyes with the abominable ſpectacle. One of the ſecretaries had been confeſſor to Conſtantia; and that queen thought ſhe could not better remedy the injury of having confeſſed to a heretic, than by ſeeing that he was conſumed by the flames.

Cuſtom becomes law: and from that time to the preſent, which is more than ſeven hundred years, the church has continued to burn thoſe who have,

* See the Hiſtory of the Church.

or who are even ſuppoſed to have tarniſhed themſelves by erroneous opinions.

CHAP. IV.

On the Extirpation of Hereſy.

IT is neceſſary we ſhould diſtinguiſh error of opinion from faction. Men have differed in their opinions from the very firſt ages of Chriſtianity. The Chriſtians of Alexandria differed in their opinions on many articles from thoſe of Antioch. The Achaians differed from the Aſiatics. This difference took place from the beginning and will probably remain. Jeſus Chriſt did not unite the faithful in the ſame opinion, though he had it in his power; we may therefore infer it was not his deſign; but that he choſe his churches ſhould exerciſe acts of candour and charity, and permitted different ſyſtems to thoſe who ſhould agree only in acknowledging him their lord and maſter. All theſe ſects while they were tolerated by the emperors, or concealed from them, had it not in their power to perſecute each other; they could only diſpute. When the magiſtrates perſecuted them, they claimed, as other men would, the privileges of nature. "Suf-
"fer us," they ſaid, "to adore our God in peace,
"and do not refuſe us the ſame liberty which you
"grant the Jews." All ſects at this time might hold the ſame language to thoſe who perſecute them. They might ſay to thoſe who have allowed privileges to the Jews, "Treat us as you do the
"children of Jacob. Let us, as they do, pray to
"God according to our conſciences. The ſtate will
"no more be injured by our opinions than it is by
"Judaiſm. They enemies of Jeſus Chriſt are to-

" lerated by you; tolerate us alſo who adore him,
" and who differ from you only in theological ſubtil-
" ties. Do not deprive yourſelves of uſeful ſubjects;
" you want them in your manufactories, in your ma-
" rine, and in the cultivation of your lands. Can
" it be of any importance that their creed ſhould be
" in ſome little things different from yours? You
" want the labour of their hands and not their cate-
" chiſm."

Faction is a thing of a very different nature. It happens always, that a ſect which is perſecuted, degenerates into a faction. Thoſe who are oppreſſed naturally unite and animate each other; and generally uſe more induſtry in adding to the ſtrength of their party, than their perſecutors do in endeavours to exterminate them. They muſt either deſtroy or be deſtroyed. It was the caſe in the two laſt years of Diocletian, after the perſecution excited by Galerius in 304. The Chriſtians having been favoured by Diocletian for eighteen years, were too numerous and too rich to be exterminated. They joined Conſtantius Chlorus; they fought for his ſon Conſtantine; and the conſequence was an entire revolution in the empire.

Little occurrences may be compared with great, when produced by a ſimilar ſpirit. Revolutions of the ſame kind took place in Holland, in Scotland, and in Switzerland. When the Jews were driven out of Spain by Ferdinand and Iſabella, where they had been eſtabliſhed not only before the family on the throne, but before the Moors, the Goths, or even the Carthaginians; the Jews might eaſily have effected a revolution, if they had been as warlike as they were wealthy, or if they could have united their intereſt with that of the Arabians.

In a word, the government of a country has never been changed by any ſect, until deſpair has furniſhed that ſect with arms. Mahomed himſelf was ſucceſsful

ceſsful only becauſe he was driven from Mecca, and a reward ſet on his head.

If you would prevent a ſect from overturning the ſtate, be tolerant; imitate the wiſe examples of England, Germany and Holland. The only methods to be taken with a new ſect, conſiſtent with true policy, are either to put to death the leader and his adherents, men, women and children, without ſparing an individual; or to tolerate the whole ſect when conſiſting of numbers. The firſt method would be taken by a monſter, and the ſecond by a wiſe man.

Attach your ſubjects to the ſtate by their intereſts. Let the Quaker and the Turk find their advantage in living under your laws. Religion is the law of God to man; the civil law is yours to your people.

CHAP. V.

Profanations.

LOUIS IX. king of France, who was numbered among the ſaints on account of his virtues, made a law againſt blaſphemers in the commencement of his reign. He condemned them to a new kind of puniſhment; for their tongues were bored through with a hot iron. It was meant as retaliation; the puniſhent being inflicted on the offending member. But it was rather difficult to decide what was blaſphemy. Expreſſions often eſcape a man in a paſſion, in joy, or even in converſation, which are merely expletive; ſuch are the *ſelah* and the *vah* of the Hebrews; the *pol* and *ædepol* of the Latins; and even the *per Deos immortales* was a phraſe often uſed without the leaſt intention of ſwearing by the immortal gods.

Thoſe words called blaſphemies and oaths are in general of uncertain ſignification, and may be variouſly interpreted. The law by which they are puniſhed ſeems to be founded upon that of the Jews, which ſays, *Thou ſhalt not take the name of the Lord thy God in vain.* It is the opinion of the beſt commentators that this commandment was intended to prevent perjury; and there is the more reaſon to believe them right, as the word *ſhavè* which is tranſlated in vain, properly ſignifies perjury. Now what analogy can there be between perjury and the words which are ſoftened in *cadedis, ſangbleu, ventrebleu, corbleu,* &c?

It was a cuſtom among the Jews to ſwear by the life of God, *vivit Dominus*; it was a common formulary; ſo that it was when they gave evidence, they were forbidden to lie in the name of the Lord.

Philip Auguſtus, in 1181, ordained the nobility ſhould pay a fine who ſhould uſe the terms *tetebleu, ventrebleu, corbleu, ſangbleu*; and that the plebeians offending in the ſame manner ſhould be drowned. The firſt part of the law was puerile; the latter was horrible. It was an outrage on nature, to drown one man for a crime for which another only paid a few pence of the money of thoſe times. The law therefore, like many others, remained ineffectual, particularly when the king was excommunicated, and his kingdom laid under an interdict by Pope Celeſtine III.

Tranſported with zeal, St. Louis commanded that all without diſtinction who pronounced theſe indecent words, ſhould have their tongues bored, or their upper lips cut off. A citizen of Paris having ſuffered this puniſhment, complained to Pope Innocent IV. The pontiff remonſtrated to the king that the puniſhment was too ſevere for the crime. The king never exerciſed the ſame ſeverity. It would have been happy for mankind if the Popes had never aſſumed any other ſuperiority over kings.

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The ordinance of Louis XIV. in 1666, ſays,— "Thoſe who are convicted of blaſpheming or ſwear- "ing by the holy name of God, of his moſt holy "mother, or of his ſaints, ſhall pay a fine for the "firſt offence; a double, triple, quadruple fine for "the ſecond, third and fourth offence; ſhall be "put into the ſtocks for the fifth; ſhall ſtand in "the pillory and loſe his upper lip for the ſixth; "and for the ſeventh ſhall have his tongue cut out."

There is ſome humanity and juſtice in this law, as it does not inflict a puniſhment until the offence is committed ſeven times, which is not likely to be done.

But on the ſubject of atrocious profanations, which are called ſacrileges, the criminal ordinance mentions only robbing churches; it does not take notice of public impieties; it was not perhaps imagined they could come to paſs, or it was too difficult to ſpecify them. They are therefore left to the diſcretion of the judge; but nothing ſhould be left to diſcretion.

In extraordinary caſes of this nature, how is the judge to act? The conſiderations which ſhould weigh with him, are the age of the offender, the nature and degree of his guilt, and particularly the neceſſity of a public example. *Pro qualitate perſonæ, proque rei conditione & temporis & ætatis & ſexus, vel ſeverius vel clementias ſtatuendum.* If it be not expreſsly declared in the law that any ſpecified crime ſhall be puniſhed with death, what judge would think himſelf authorized to paſs the ſentence? Where the law is ſilent, and a puniſhment is neceſſary, the judge, becauſe he is a man, ought certainly not to heſitate in pronouncing the mildeſt ſentence.

Hardly any but young debauchées ever commit profanations of a ſacrilegious kind. Would you puniſh them on ſuch occaſions with as much ſeverity as if they had murdered a brother? Their youth is a

circumſtance in their favour. They are not permitted to diſpoſe of their eſtates; becauſe it is ſuppoſed that their judgment is not ſufficiently mature to perceive the conſequences of a raſh tranſaction. Is it not, therefore, natural to ſuppoſe, they have not ſufficient judgment to perceive the conſequences of their impiety?

Would you adjudge the ſame ſevere puniſhment to a giddy youth, who, in a kind of frenzy, had profaned a ſacred image, but who had not ſtolen it, as to a Brinvillers who poiſoned his father and his whole family?

There is no expreſs law againſt the unfortunate youth; and you determine to make one, in order to inflict on him the ſevereſt puniſhment. He deſerved to be chaſtiſed; but was it neceſſary to inflict ſuch tortures as would make nature revolt, or to put him to the moſt horrible death?

But he has offended God. No doubt, and very highly. Imitate God in your conduct towards him. On his repentance God forgives him. Enjoin a penance and let him be forgiven.

The illuſtrious Monteſquieu ſays, "Our duty is "to honour the Deity, not to revenge him." Let us thoroughly conſider theſe words. It is not their meaning that we ſhould neglect the ſupport of public decorum; but as the judicious author of the Eſſay on Crimes and Puniſhments obſerves, that it is ridiculous in an inſect to take upon him to revenge the Supreme Being. A village or a city magiſtrate is not a Moſes or a Joſhua.

CHAP. VI.

The Indulgence of the Romans in theſe Matters.

THE ſurpriſing contraſt between the laws of the Romans and thoſe barbarous uſages which were ſeen to ſucceed them, as filth is ſeen to occupy the place of a ſuperb city, has been often the ſubject of converſation among all thoſe who are well informed throughout Europe.

It is certain, that the Roman ſenate held the Supreme God in as great veneration as we do; and profeſſed as much regard for their immortal and ſecondary deities depending on their eternal maſter, as we do for our ſaints. *Ab Jove principium*, was their common formulary. Pliny,* in his panegyric on the good Trajan, ſays, the Romans never neglected to begin their diſcourſe or to enter on their affairs by invoking the Deity. Cicero and Livy atteſt the ſame thing. No people were more religious; but they were too wiſe and too great to deſcend to the puniſhment of idle words or philoſophical opinions; they were not capable of condemning thoſe to cruel puniſhments who, like Cicero, had his doubts on auguries, though himſelf an augur; or thoſe who, like Cæſar in full ſenate, declared the gods do not puniſh men after death.

It has been a hundred times taken notice of, that the ſenate permitted the chorus in one of Seneca's plays to ſing, "There is nothing after death, and death itſelf "is nothing. You aſk what becomes of the dead? "Where were they before their birth?"

* *Bene ac ſapienter patres conſcripti majores inſtituerunt ut rerum agendarum ita dicendi initium a precationibus cepere, &c.*

If there was ever a profanation which may be deemed flagrant, this muſt be one. From Ennius to Auſonius all is profaneneſs, notwithſtanding the general reſpect for the public worſhip. Why did not the ſenate ſuppreſs theſe things? Becauſe the government of the ſtate was not in the leaſt affected by them; becauſe they diſturbed no inſtitution, no ceremony of religion. The police of the Romans was not the leſs excellent on this account; nor were they prevented from being maſters of the fineſt part of the world, until the reign of Theodoſius II.

It was a maxim among the Romans, *Deorum offenſæ Diis curæ*; *Offences againſt the gods are the concerns of the gods.* The ſenate being at the head of religion, by an inſtitution extremely wiſe, were never apprehenſive that a college of prieſts would oblige them to revenge the order, under pretence of revenging heaven. They never ſaid, Let us deſtroy the impious, leſt we ſhould be conſidered as impious ourſelves; let us ſhew the prieſts by our cruelty, that we are as religious as themſelves.

But our religion is more holy than that of the Romans, and therefore impiety is a greater crime. God will puniſh it. The duty of man is to puniſh that which is criminal in the public confuſion occaſioned by impiety. Now if in any impious tranſaction, the criminal has not even ſtolen a handkerchief; if no man has received the leaſt injury; if the rites of religion have not been in the leaſt diſturbed; ſhall we (for I muſt repeat it) puniſh impiety as we would parricide? The Marſhal D'Ancre commanded a white cock to be killed while the moon was full; does it therefore follow, that we ſhould burn Marſhal D'Ancre?

Eſt modus in rebus, ſunt certi denique fines;
Nec ſcutica dignum horribili ſectere flagello.

CHAP.

CHAP. VII.

Of the Crime of Preaching, and of Anthony.

A CALVINIST preacher who comes ſecretly and preaches to his flock in certain provinces, when detected, is puniſhed with death, and thoſe who have given him a ſupper or a bed, are ſent to the gallies for life. In other countries, a Jeſuit coming to preach, is hanged. Is this Calviniſt or this Jeſuit put to death in order to avenge Almighty God? And have both parties derived their authority to puniſh on the following evangelic law, "If he neglect to hear the church, "let him be unto thee as a heathen-man and a publi-"can." But the Evangeliſt does not enjoin that the heathen-man or the publican ſhould be hanged.

Or have they derived it from that paſſage of Deuteronomy, (Chap. xxiii.) "If a prophet ariſe among "you; and that which he hath ſaid come to paſs; "and he ſayeth unto you, Let us follow ſtrange gods; "and if thy brother, or thy ſon, or thy wife, or the "friend of thy heart, ſay unto thee, Come let us fol-"low ſtrange gods; let them be ſtraightways killed; "ſtrike thou firſt, and all the people after thee." But neither the Jeſuit nor the Calviniſt ſaid unto you, Come let us follow ſtrange gods.

The Counſellor Dubourg, and the Canon Jehan Chavin, called Calvin; the Spaniſh phyſician Servetus, the Calabrian Gentilis, all adored the ſame God, and yet the preſident Minard cauſed the counſellor Dubourg to be burnt; and the friends of Dubourg aſſaſſinated the preſident Minard. John Calvin cauſed the phyſician Servetus to be burnt at a ſlow fire, and had alſo the conſolation to be the principal means of bringing the Calabrian Gentilis to the block; and the

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ſucceſſors of John Calvin committed Anthony to the flames. Were theſe murders committed by reaſon, piety, or juſtice?

The hiſtory of Anthony is one of the moſt extraordinary of any which have been preſerved in the annals of madneſs. I have read the following account of him in a very curious manuſcript. Something like it may be found in the works of Jacob Spon.

Anthony was born at Brieu in Lorrain; his parents were Catholics, and he was educated by the Jeſuits at Pont à Mouſſon. The preacher Feri, at Metz, induced him to embrace the Proteſtant religion. On his return to Nanci, he was perſecuted as a heretick; and if a friend had not exerted himſelf to ſave him, he would have been hanged. He ſought an aſylum at Sedan, where he was ſuſpected to be a Roman Catholic, and with difficulty eſcaped aſſaſſination.

Seeing, that by ſome ſtrange fatality, his life was in danger among Papiſts and Proteſtants, he went to Venice and turned Jew. He was thoroughly convinced, even to the laſt moments of his life, that the Jewiſh religion alone was authentic; for, he obſerved, if it was once the true religion, it muſt be always ſo. The Jews did not circumciſe him, leſt they ſhould have ſome difference with the magiſtrates; but he was inwardly a Jew. He went to Geneva, where he concealed his faith, became a preacher, a preſident in a college, and at laſt what is called a miniſter.

The perpetual contention in his mind between the religion of Calvin, which he was under a neceſſity of preaching, and that of Moſes, the religion he believed in, occaſioned a long illneſs. He grew melancholy, and becoming quite mad, he often cried out in his paroxiſms, that he was a Jew. The miniſters came to viſit him, and tried to reſtore him to his ſenſes; but he continually ſaid, that he adored none but the God of Iſrael; that it was not poſſible God ſhould change; that he could never have given a law, and written it with his own hand, intending that it ſhould be abo-

liſhed.

liſhed. He ſpoke to the diſadvantage of Chriſtianity; and afterwards retracted what he had ſaid, and even delivered up a confeſſion of faith to eſcape puniſhment; but after having written it, the unfortunate perſuaſion of his heart would not ſuffer him to ſign it. The council of the city aſſembled the preachers to conſider what was to be done with the unfortunate Anthony. The ſmaller number of thoſe preachers, were of opinion that he ſhould be pitied, and that ſome attempts ſhould be made to cure his diſeaſe, rather than puniſh him. The greater number determined he ſhould be burnt, and he was burnt accordingly. This tranſaction is of the year 1632.* A hundred years of reaſon and virtue are hardly ſufficient to atone for ſuch a determination.

CHAP. VIII.

Hiſtory of Simon Morin.

THE tragic end of Simon Morin was not leſs horrible than that of Anthony. It was amidſt the feaſting, pleaſures and gallantry of a brilliant court; it was in times of the greateſt licentiouſneſs, that this unfortunate madman was burnt at Paris in the year 1663. He was an ideot, and imagined he ſaw viſions; he carried his folly ſo far, as to believe he was ſent from God, and that he was incorporated with Jeſus Chriſt.

The Parliament prudently condemned him to be confined in a mad-houſe. What was remarkable, there happened to be in the ſame houſe another ideot, who called himſelf the Eternal Father. Simon Morin was ſo ſtruck with the folly of his companion, that he ſaw his own, and appeared for a time to have recover-

* Jacob Spon, p. 500, and Guy Vances.

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ed his ſenſes. He declared his repentance to the magiſtrate, and unfortunately for himſelf obtained his liberty. He relapſed ſoon after into his former nonſence and dogmatized. His unhappy deſtiny brought him acquainted with St. Sorlin Deſmarets, who for many months was his friend, and who afterwards, from a jealouſy of his reputation, became his moſt cruel perſecutor.

This Deſmarets was no leſs a viſionary than Morin. His firſt follies indeed were innocent. He printed the tragi-comedies of Erigone and Mirame with the tranſlation of the Pſalms; the romance of Ariane, and the poem of Clovis, with the office of the Holy Virgin turned into verſe. He alſo publiſhed dithyrambic poems, containing invectives againſt Homer and Virgil. From ſuch follies he proceeded to others of a more ſerious nature. He attacked Port-royal; and after confeſſing that he had converted ſome women to atheiſm, he commenced prophet. He pretended God had given him with his own hand the key of the Apocalypſe; that with this key he would reform the whole world, and that he ſhould command an army of an hundred and forty thouſand men againſt the Janſeniſts.

It would have been very reaſonable and juſt to have confined him with Simon Morin; but can it be believed, that he found credit with the Jeſuit Annat, confeſſor to the king? He perſuaded him, that poor Simon would eſtabliſh a ſect almoſt as dangerous as the Janſeniſts themſelves. In ſhort, becoming ſo abandoned as to turn informer, he procured an order to ſeize the perſon of his rival. Shall I tell it? Simon Morin was condemned to be burnt alive!

When he was led to the ſtake, a paper was found in one of his ſtockings, begging forgiveneſs of God for all his errors. This ſhould have ſaved him. No: his ſentence was confirmed, and he was executed without mercy.

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Such actions make one's hair ſtand an end with horror. But where is the country that has not beheld ſuch deplorable events? Mankind univerſally forget they are brethren, and perſecute each other even to death. Let us conſole ourſeves with the hope, that ſuch horrid times are paſſed, never more to return.

CHAP. IX.

Of Sorcerers.

IN the year 1748, an old woman was convicted of ſorcery, and committed to the flames in the biſhopric of Wurtſburg. It was an extraordinary phenomenon in the preſent century. But how improbable muſt it be, that a people who boaſted of their reformation, of having trampled ſuperſtition under foot, and flattering themſelves that they had improved their reaſon to a great degree of perfection—how improbable muſt it appear, that ſuch people ſhould have believed in witchcraft, ſhould have committed to the flames ſome poor women accuſed of this crime, and that above a hundred years after the pretended reformation of their underſtandings?

In the year 1652, a country woman of the little territory of Geneva, whoſe name was Michelle Chaudron, met the devil as ſhe was going out of the city. The devil gave her a kiſs, received her homage, and imprinted the marks he uſually beſtows on his favorites on her upper lip, and on her right breaſt. This ſeal of Satan is a little ſpot on the ſkin, which renders it inſenſible; as all the demonographical civilians of thoſe times have aſſured us.

Michelle Chaudron was commanded by the devil to bewitch two young women, which ſhe did with great

punctuality. The parents of the young women accuſed Michelle Chaudron of correſponding with the devil. The young women being confronted with the accuſed, declared they were poſſeſſed, becauſe they felt a conſtant prickling in ſome parts of their bodies. Phyſicians were ſent for; at leaſt, ſuch perſons as in thoſe times paſſed for phyſicians. They viſited the patients; and ſearched for the devil's ſeals on the body of Michelle; which ſeals, in the verbal proceſs, are called Satanical marks. They plunged a long needle into one of thoſe marks; which was in itſelf no ſmall torment. Blood flowed from the wound; and Michelle, by her cries, ſhewed that the part was not without feeling. Not finding proper proofs in this way, that Michelle was a ſorcereſs, the judges commanded ſhe ſhould be put to the torture; which could not fail to produce the proof which they ſtood in need of. The poor creature, overwhelmed with torment, at laſt confeſſed all they wiſhed.

The phyſicians ſearched again for the Satanical mark; and found it in a little black ſpot on one of her thighs. The poor wretch overcome, and almoſt expiring with the torture of the rack, was inſenſible to the needle, and did not cry out. Thus the crime was aſcertained. But the world beginning at this time to be a little civiliſed, ſhe was hanged and ſtrangled, before ſhe was committed to the flames.

At this time, every tribunal in Europe echoed with ſuch judgments, and fire and faggot were univerſally employed againſt ſorcery as well as hereſy. The Turks were reproached for having among them neither ſorcerers nor demoniacs; and their not having the latter was conſidered as a certain proof, that their religion was not true.

A warm friend to the public intereſt, to humanity, and to real religion, informs us, in one of his works in behalf of innocence, that Chriſtian tribunals have condemned to death above a hundred thouſand witches. If to theſe legal maſſacres, we add the

much greater number of heretics which have been ſacrificed; our diviſion of the globe will appear to be one large ſcaffold crouded with executioners and victims, and ſurrounded by judges, guards, and ſpectators.

CHAP. X.

On the Puniſhment of Death.

IT has been obſerved, long ſince, that a man is not good for any thing after he is hanged; and that puniſhments, which are invented for the benefit of ſociety, ſhould be uſeful to ſociety. It cannot be diſputed, that twenty robuſt criminals, condemned to ſome public work for life, would in their puniſhment be of ſervice to the community; and that hanging them is an advantage only to the executioner, who is paid for putting men publicly to death. In England thieves are not often put to death; they are tranſported to the colonies. In the vaſt territories of Ruſſia, ſomething like this is the caſe; for not one criminal was executed during the whole reign of the Empreſs Elizabeth. Her ſucceſſor, Catherine II. with a finer genius, follows her example. And yet crimes are not multiplied by this humanity. Nay, it generally comes to paſs, that the convicts ſent to Siberia, become in time honeſt men. The ſame thing is to be ſeen in the Engliſh colonies. We are aſtoniſhed at the happy change; and yet nothing can be more natural. The convicts are obliged to conſtant labour to obtain a livelihood. They have no opportunity of running into vices. They marry, and they furniſh the community with people. Put men under a neceſſity of working, and you certainly make them honeſt. We very well know, that enormous

mous crimes are not committed in the country, unleſs it be where there are too many feſtivals, which oblige men to be idle, and lead them into debauchery.

The Romans never condemned a citizen to death. but for crimes which affected the ſecurity of the commonwealth. Theſe people, who were our maſters, our firſt legiſlators, were frugal of the blood of their fellow citizens; but we are laviſh of the blood of ours.

Whether a judge ſhould have the power of puniſhing with death, when the puniſhment is not ſpecified by law, is a delicate and important queſtion, which has been often debated. It was ſolemnly argued before the Emperor Henry VII. who was of opinion, that no judge ſhould have ſuch a power.*

There are ſome criminal caſes, which are ſo new, ſo complicated, or accompanied with circumſtances ſo unaccountable, as to have eſcaped the notice of the laws; which, therefore, in ſome countries are left to the prudence of the judge. But for one caſe in which the laws allow the death of a criminal, whom they have not condemned, there are a thouſand in which humanity, which ſhould be ſuperior to the laws, might ſave thoſe whom the laws have ordered to be puniſhed.

The ſword of juſtice is in our hands; but we ought rather to blunt, than to whet the edge of it. It is carried before kings within its ſheath, to inform us it ſhould be drawn but ſeldom.

There have been judges who were extremely fond of ſhedding human blood; ſuch was Jefferies in England; and ſuch was the man whom they called Coupe Tete in France. Such men were not intended for magiſtrates. Nature deſigned them for executioners.

* Bodin de Republica, lib. iii. c. 5.

CHAP.

CHAP. XI.

Of the Execution of Warrants.

MUST we go to the very extremities, of the world; muſt we have recourſe to the laws of China, to learn how ſparing we ſhould be of human blood?

It is now more than four thouſand years ſince the tribunals of that empire have been held; and ſince the cuſtom has prevailed not to execute the meaneſt ſubject in the remoteſt corners of it, without firſt tranſmitting his caſe to the emperor, who orders it to be examined three times by one of his tribunals; after which, he either ſigns the ſentence, changes it, or acquits the perſon accuſed.*

But we need not ſeek examples at ſuch a diſtance, Europe will ſufficiently furniſh us. No criminal is put to death in England, whoſe ſentence is not ſigned by the king. This is the caſe in Germany, and in moſt parts of the north. It was formerly the cuſtom in France; and it ſhould ever be ſo in all nations who would be well governed. At a diſtance from the throne, a ſentence may be ſuggeſted by cabal, by prejudice, or by ignorance. Such little intrigues make no impreſſion on courts, which are continually engaged

* The author of the Spirit of Laws, who has ſcattered ſo many beautiful truths through his work, ſeems to have been deceived, when (to eſtabliſh his principle, that the vague ſentiment of honor is the foundation of monarchies, and virtue of republics) he ſays of the Chineſe, "I know not what ſentiment of honor can "be entertained by a people, who are forced to every action by "blows." It may be true, that the populace may often be diſperſed by the cane; or that blows may be given to inſolent beggars and knaves: but does it follow, that China is not governed by tribunals, which watch over each other; or that it has not an excellent form of government?

by great objects. The members of the ſupreme council are more attentive to public buſineſs, and leſs liable to prejudice; the habit of conſidering things with enlarged views has rendered them leſs ignorant, and given them more wiſdom; and they can determine better than a provincial judge, whether the ſtate requires ſevere puniſhments. In ſhort, when inferior courts have judged according to the letter, which may be rigorous, the council ſoftens the ſentence, according to the ſpirit of all laws, which requires, that a man ſhould never be ſacrificed but in caſes of extreme neceſſity.

CHAP. XII.

On the Cuſtom of putting Criminals to the Torture.

ALL men being expoſed to the attempts of violence or of perfidy, hold thoſe crimes in abhorrence, of which they may be the victims. All unite in deſiring the puniſhment of principal offenders and their accomplices; all, however, by a compaſſion which God has implanted in our hearts, abhor thoſe tortures inflicted on criminals in order to extort their confeſſion. The law has not condemned them, and yet in a ſtate of uncertainty with regard to their crime, a puniſhment is inflicted on them much more dreadful, than that which they are made to ſuffer even when their guilt is proved. "How! I am yet ignorant of thy guilt; and I will put "thee to the torture in order to inform myſelf; and if "I ſee thou art innocent, I ſhall make thee no ſatisfac-"tion for the thouſand deaths I make thee ſuffer, in-"ſtead of that which was prepared for thee." Every man muſt ſhudder at this idea. It is not neceſſary I ſhould ſay that St. Auguſtine oppoſed himſelf to ſuch cruelty in his book *De Civitate Dei*. It is not neceſſary to obſerve, that the Romans never put to the tor-

ture

ture any but their ſlaves; and that Quintilian, on the principle that even ſlaves were men, ſeverely reproved ſuch barbarity.

If there were but one nation in the world which had aboliſhed the cuſtom of putting men to the torture; if crimes were not in greater numbers in that nation than in any other; and if that nation be more enlightened and more flouriſhing ſince that abolition, its example ought to influence the whole world. England alone would inſtruct all the other nations. But it is not in England alone, but in all other nations, that the torture has been proſcribed, and with great ſucceſs. Every thing on this queſtion is therefore decided. Shall not a people who pique themſelves on being polite, value themſelves alſo on being humane? Shall they obſtinately perſevere in an inhuman practice, on the ſingle pretext of cuſtom? At leaſt, reſerve ſuch cruelties for thoſe avowed villains who have aſſaſſinated the father of a family, or the father of his country; puniſh even his accomplices: but to inflict the torments due to a parricide, on a young perſon who commits a fault which leaves no traces behind it;—is not this barbarity uſeleſs?

I am aſhamed of having ſpoken on this ſubject, after what has been ſaid by the author of the *Eſſay on Crimes and Puniſhments*. I ought to have contented myſelf with wiſhing, that men would read repeatedly and often, the work of that friend to humanity.

CHAP. XIII.

Of ſome ſanguinary Tribunals.

IS it to be credited, that there exiſted formerly a ſupreme tribunal more horrible than the Inquiſition, and that it was eſtabliſhed by Charlemagne? It was the judgment of Weſtphalia; otherwiſe called the *Vhemick court*. The ſeverity, or rather cruelty, of this court was ſuch, as to puniſh with death every Saxon who broke his faſt during Lent. The ſame law was eſtabliſhed in Flanders and in Franche Comté at the commencement of the ſeventeenth century.

The archives of a little diſtrict called St. Claude, ſituated in the moſt frightful rocks of the province of Burgundy, have preſerved the ſentence, the verbal proceſs and execution, of an unfortunate gentleman called Claude Guillon, who was beheaded on the 28th of July, 1629. He had been reduced to poverty, and was almoſt dying with hunger. On a meagre day, he eat a morſel of the fleſh, which had been killed in a neighbouring field. This was his crime. He was condemned for ſacrilege. If he had been a rich man, and had ſpent two hundred crowns in ſea-fiſh at a ſupper, while he ſuffered the poor to die of hunger, he would have been conſidered as a man who fulfilled all his duties. The following is the ſentence pronounced by his judge; "After having ſeen all the papers of "the proceſs, and having heard the opinions of doc-"tors in the law, we declare the ſaid Claude Guillon "duly attainted and convicted of having taken away "the fleſh of a horſe, which had been killed in the "meadow of the city; of having cauſed the ſaid "fleſh to be dreſſed on Saturday the 31ſt of March; "of having eaten the ſame, &c."

What

What doctors theſe doctors of laws muſt have been, who gave this opinion! Was it among the Topinambous or among the Hottentots that theſe adventures have come to paſs? The *Vhemick court* was ſtill more horrible; commiſſaries were ſecretly delegated from it, who went without being known into all the cities of Germany, took informations without the knowledge of the accuſed, who were condemned without being heard; and when they ſtood in need of an executioner, the youngeſt judge often performed the office himſelf.* In order to be ſecure from the aſſaſſinations of this court, it was neceſſary to procure letters of ſafety and exemption from the emperor, and even theſe were often uſeleſs. This court of murderers was not entirely diſſolved but by Maximilian I. It ought to have been ſunk in the blood of its judges. The tribunal of ten at Venice was in compariſon of this, an inſtitution of mercy.

What are we to think of theſe, and many other horrible proceedings? Is it ſufficient to ſigh over human nature? There have been caſes which required vengeance.

CHAP. XIV.

Of the Difference between political and natural Laws.

I CALL thoſe laws natural, which nature has dictated in all ages and to all men, for the ſupport of that juſtice, which (whatever we may ſay of her) ſhe hath implanted in our hearts. Theft, violence, homicide, ingratitude to beneficent parents, perjury to injure and not to ſuccour innocence, conſpiracies to deſtroy one's country: theſe are crimes which, though pu-

* See the excellent abridgement of the Chronological Hiſtory and Public Laws of Germany, in the year 803.

niſhed with more or leſs ſeverity, are yet puniſhed univerſally and with juſtice.

I call thoſe laws political, which were made for preſent neceſſity, whether to give ſtability to power, or to prevent calamities. For example: when apprehenſive that an enemy may receive intelligence from the inhabitants of a city, the gates are ſhut, and every man is forbidden to paſs the ramparts on pain of death.

Or if a new ſect ſhould publicly profeſs obedience to their ſovereign, and ſecretly conſult on means to throw off that obedience; ſhould preach, that all men are equal, in order to ſubject them equally to new rites; that God is to be obeyed rather than man; who accuſe the reigning ſect of ſuperſtition and ridiculous ceremonies, and mean to deſtroy that religion which is conſecrated by the ſtate; thoſe are condemned to death, who, in publicly dogmatizing in favour of ſuch a ſect, would rouſe the people to revolt.

Or if two ambitious princes ſhould diſpute the crown; the ſtrongeſt gaining the prize, puniſhes the partizans of the weaker with death. The judges become inſtruments of vengeance in the hands of the new ſovereign, and the ſupporters of his authority. Any perſon under Hugh Capet having the misfortune to be allied to Charles of Lorraine, was in danger of being condemned, unleſs he was very powerful.

When Richard III. who had murdered his two nephews, was acknowledged king of England, the jury condemned Sir William Collinburn to be quartered for having written to a friend of the Duke of Richmond, who was raiſing an army, and who afterwards reigned by the name of Henry VII. They found two lines written by Sir William which were very ridiculous, but they ſerved to condemn him to an horrible death. Hiſtory is full of ſuch examples of juſtice.

The right of repriſal is alſo a law adopted by all nations. For example: your enemy has hanged one of your brave captains, becauſe he defended an old ruined caſtle againſt an whole army. One of the enemy's

my's captains falls into your hands. He is a worthy man, and you would eſteem and love him; you hang him, however, by way of repriſal. You ſay it is law; that is, becauſe your enemy has been guilty of an enormous crime, you muſt be guilty of one as enormous.

Theſe bloody political laws exiſt only for a time; becauſe they are not real and uſeful laws they are diſcontinued. They reſemble the neceſſity, which in caſes of extreme famine obliges people to eat each other; as ſoon as they can obtain bread they ceaſe to devour men.

CHAP. XV.

Of the Crime of High Treaſon; of Titus Oates; and of the Death of Auguſtine de Thou.

THAT crime is called high treaſon, by which an attempt is made on the ſecurity of the ſtate, or of the king who repreſents it. This is regarded as a kind of parricide; the guilt of it therefore ought not to be extended to offences which have no relation to that crime; for if a robbery in a houſe belonging to the ſtate be conſidered as treaſon; or if a public commotion, or ſeditious words be conſidered in the ſame light, that horror with which the crime of high treaſon ſhould be treated is wholly taken away.

There ſhould be nothing arbitrary in the ideas which we form of great crimes. If a robbery committed by a ſon on his father, or an imprecation againſt him, be placed in the rank of parricides, the bond of filial piety is broken. The ſon cannot regard his father but as a terrible monſter. Every thing exceſſive in laws has a tendency to deſtroy them.

In ordinary crimes, the law of England is favourable to the accuſed; but is quite otherwiſe in caſes of

high treaſon. The Jeſuit Titus Oates had been legally interrogated in the houſe of commons, and had ſworn he had nothing farther to diſcover; yet he afterwards accuſed the Duke of York, his Secretary, and many other perſons of high treaſon, and his information was admitted. He firſt ſwore before the king's council, that he had not ſeen the Secretary, and afterwards he ſwore he had ſeen him. Notwithſtanding theſe illegal proceedings, and theſe contradictions, the Secretary was executed.

The ſame Oates and another witneſs ſwore that fifty Jeſuits had conſpired to aſſaſſinate Charles II. and that they had ſeen a commiſſion from father Oliva, general of the Jeſuits, to thoſe officers who were to command an army of rebels. Thoſe two witneſſes were ſufficient to juſtify the puniſhment of tearing out the hearts, and daſhing them in the faces of ſeveral perſons. But in truth, are two witneſſes ſufficient to occaſion the death of thoſe whom they are willing to deſtroy? At leaſt it ſhould be clear, that thoſe two witneſſes are not avowed villains, and that their depoſitions be not improbable.

It is certain, that if two of the moſt upright magiſtrates in the kingdom were to ſwear, that a man had conſpired with the Mufti to circumciſe the whole council of ſtate, the parliament the chamber of accompts, the archbiſhop, and the ſorbonne, they would ſwear in vain, that they had ſeen the letters of the Mufti; it would rather be ſuppoſed, they were out of their ſenſes, than that any credit was due to their depoſition. It was altogether as extravagant to ſuppoſe, that the general of the Jeſuits ſhould raiſe an army in England, as it would be to believe, that the Mufti would ſend to circumciſe the court of France. Titus Oates, however, was unfortunately believed, that there might be no ſpecies of atrocious folly which had not entered the head of man.

The laws of England do not conſider as guilty of a conſpiracy thoſe who are acquainted with it, and do

do not inform. They deem the informer as infamous, as the conſpirator is culpable. In France, thoſe who are privy to a conſpiracy, and do not reveal it, are put to death. Louis XI. againſt whom there were frequent conſpiracies, made this terrible law; which a Louis XII. or a Henry IV. would never have imagined. This law not only obliges an honeſt man to divulge a crime, which might poſſibly have been prevented by his ſage council and reſolution; but it expoſes him to the danger of being puniſhed as a calumniator, becauſe it is very eaſy for thoſe who are accuſed to take their meaſures in ſuch a manner as to elude conviction.

This was preciſely the caſe of the truly reſpectable Auguſtine de Thou, a counſellor of ſtate, and ſon of the only good hiſtorian which France can value herſelf upon; equal to Guiciardini in regard to information, and perhaps ſuperior in impartiality.

A conſpiracy was formed rather againſt Cardinal de Richelieu than againſt Louis XIII. It was not the intention to betray France to the enemy; for the king's brother, who was a principal contriver of the plot, could not well deſign to betray a kingdom to which he was preſumptive heir; as there were between him and the throne, only an elder brother, who was dying, and two children in the cradle.

De Thou was not guilty either before God or men. One of the agents of Monſieur, the king's only brother; of the Duke of Bouillon, ſovereign prince of Sedan; of the grand equerry D'Eſfiat Cinq-Mars, had verbally communicated the plan of the conſpiracy to the counſellor of ſtate. He went immediately in ſearch of the grand equerry Cinq-Mars, and did every thing in his power to diſſuade him from the enterpriſe. He ſtrongly remonſtrated on the difficulties which would attend it. If he had then diſcovered the conſpirators, he had no proofs; he would have been overwhelmed by the oppoſite evidence of the preſumptive heir of the crown, by that of a ſovereign

vereign prince; of the king's favourite; and by the public execration. He expoſed himſelf to be puniſhed as a baſe calumniator.

The Chancellor Seguier is of this opinion, after having confronted De Thou with the grand equerry. It was at that time De Thou ſaid to Cinq-Mars the very words we find in the verbal proceſs. "Recol-"lect, Sir, that not a day paſſed, in which I did not "ſpeak to you of this treaty, in order to diſſuade "you from it." Cinq-Mars acknowledged what he ſaid to be truth. De Thou therefore deſerved a recompence rather than death, from a tribunal of equity. He deſerved, at leaſt, that Cardinal Richlieu ſhould have ſpared him; but humanity was not his virtue. In this caſe, there is ſomething more to be ſaid, than *ſummum jus, ſumma injuria*, "extreme juſ-"tice is extreme injury." The ſentence of death pronounced on this worthy man, ſays, "for having "had knowledge and participation of the ſaid conſpiracies." It does not ſay, for not having revealed them. It ſeems, that his crime was being acquainted with a crime; and he was thought worthy of death for having had eyes and ears.

CHAP. XVI.

Of Diſcoveries by Means of religious Confeſſions.

JAURIGNI and Balthazar Gerard, by whom William the Firſt, Prince of Orange, was aſſaſſinated; Clement, Chatell, Ravillac, and all the other parricides of thoſe times, went to confeſſion before they committed their crimes. Fanaticiſm was carried to ſuch exceſſes in that wretched age, that confeſſion was an additional engagement to the commiſſion of villainy; an engagement held extremely ſacred, becauſe confeſſion is a ſacrament.

Strada

Strada himſelf ſays, that Jaurigni, *non ante facinus aggredi ſuſtinuit quam expiatam nexis animam apud Dominicanum ſacerdotem celeſti pane firmaverit.*—" Jau-
" rigni would not venture on the enterprize, until,
" by partaking of the heavenly bread, he had forti-
" fied his ſoul, purged by confeſſion, at the feet of a
" Dominican."

In the interrogatories of Ravillac, it appears, that as he was going from the Feuillants to the Jeſuit's College, he addreſſed himſelf to the Jeſuit D'Aubigni; that after converſing with him on ſeveral apparitions which he had ſeen, he ſhewed him a knife, on the blade of which were engraved a heart and a croſs; and ſaid, " this heart ſignifies that the heart
" of the king ſhould be induced to make war on the
" Huguenots." If this Daubigni had poſſeſſed zeal and prudence enough to have informed the king of theſe words, the man might have been diſcovered by a deſcription of him, and the beſt of kings might poſſibly have eſcaped aſſaſſination.

On the twentieth of Auguſt, in the year 1610, three months after the death of Henry IV. whoſe wounds were ſtill bleeding in the hearts of all Frenchmen, the Advocate General Servin, whoſe memory is now illuſtrious, required the Jeſuits ſhould be obliged to ſign the four following articles:

I. That the council is ſuperior to the Pope.

II. That the Pope, by excommunication, cannot deprive the king of any of his rights.

III. That eccleſiaſtics, like all other people, are wholly ſubject to the king.

IV. That a prieſt, who, by confeſſion, obtains the knowledge of a conſpiracy againſt the king or the ſtate, ſhould reveal it to the magiſtrate.

On the 22d, the parliament iſſued an *arrêt*, forbidding the Jeſuits to inſtruct youth, until they had ſigned thoſe four articles. But the power of the court of Rome was at that time ſo great, and that of

the court of France ſo inconſiderable, that the *arrêt* proved ineffectual.

It deſerves notice, that this court of Rome, which would not ſuffer confeſſion to be revealed, when the life of a ſovereign was concerned, obliged the confeſſors to inform the Inquiſition, when any female ſhould accuſe other prieſts of having ſeduced, or attempted to ſeduce them. Paul IV. Pius IV. Clement VIII. and Gregory XV. ordered this diſcovery. It was a ſnare very dangerous both to the confeſſor and to the penitent. It was converting a ſacrament into a regiſter of accuſations and of acts of ſacrilege; for by the ancient canons, and particularly by the Lateran council under Innocent III. every confeſſor who reveals what has been confeſſed to him, of whatever nature it be, ſhall be laid under an interdict, or impriſoned for life.

In this ſhocking manner, we ſee four different Popes, in the ſixteenth and ſeventeenth centuries, ordering confeſſion to be revealed in caſes of impurity, but forbidding it in thoſe of parricide. A woman declares, or conjectures, in her confeſſion to a Carmelite, that a Cordelier had attempted to ſeduce her. The Carmelite impeaches the Cordelier. A fanatical aſſaſſin, believing that he ſhall ſerve God by murdering his king, conſults his confeſſor on this matter of conſcience; but the confeſſor would be guilty of ſacrilege, if he ſhould ſave the life of his ſovereign.

This dreadful abſurdity is one of the conſequences of that conſtant oppoſition, which has ſubſiſted for ſo many ages between the eccleſiaſtical and civil laws; men have been ſuſpended in a thouſand caſes between the crimes of ſacrilege and high-treaſon; and the rules of right and wrong have been buried in a chaos, from which they are not emerged.

Confeſſion of crimes has been authoriſed at all times, and in almoſt all nations. The devotees accuſed themſelves in the myſteries of Orpheus, of Iſis, of Ceres, and of Samothrace. The Jews con-

feſſed

ſeſſed their ſins on the day of ſolemn expiation: and they continue the ſame cuſtom. Every penitent chuſes his confeſſor, who becomes a penitent in turn; and receives from his companion thirty nine laſhes, while he is repeating three times the form of confeſſion, conſiſting only of thirteen words, which therefore muſt be general.

None of theſe confeſſions deſcended into particulars, and conſequently could never ſerve as a pretence for thoſe ſecret conſultations, under the ſhade of which fanatical penitents imagined they could commit crimes with impunity. This is a pernicious practice, by which a ſalutary inſtitution is corrupted. Confeſſion, which was intended as a curb to iniquity, in times of confuſion or of profligacy, has often become an incentive to wickedneſs. It was for that reaſon, in all probability, that ſo many Chriſtian communities have aboliſhed a ſacred inſtitution, in which there appeared as much danger as utility.

CHAP. XVII.

Of falſe Money.

THE crime of coining falſe money is conſidered as treaſon, in the ſecond degree; and with ſome juſtice. To commit a robbery on all the people, is to be a traitor to the ſtate. But it may be aſked, whether a merchant, who imports ingots from America, and privately converts them into good money, be guilty of treaſon, and deſerving death? which is the puniſhment annexed to the crime in almoſt all countries. Nevertheleſs, he has not robbed any man; nay, he has done ſervice to the ſtate, by increaſing the circulation of money. But he has arrogated to himſelf the prerogative of the king, and has robbed him of a ſmall profit on the coin. It is true, he has coined

coined good money, but he has ſet a temptation before others to coin bad. Death, however, is a very ſevere puniſhment. I knew a lawyer, who was of opinion, that ſuch criminals ſhould be conſidered as uſeful workmen, and condemned in irons to employ themſelves in the mint.

CHAP. XVIII.

Of Domeſtic Theft.

IN ſome countries, a trifling domeſtic theft, or a breach of truſt, is puniſhed with death. Is not ſuch an inadequate puniſhment dangerous to the community? Is it not an encouragement to the crime it would correct? If a maſter proſecute his ſervant for a ſmall theft, and the criminal ſuffer death, the whole neighbourhood would hold the maſter in abhorrence; they muſt perceive that the law is contrary to nature, and therefore that it is a bad law.

What is the conſequence? Maſters, to avoid opprobrium, content themſelves with diſmiſſing the thief; who goes and ſteals from another, until he gradually becomes familiar with diſhoneſty. The puniſhment being the ſame for a ſmall as for a great offence, he will of courſe ſteal as much as he can, and at laſt he will not heſitate to turn aſſaſſin, to prevent being diſcovered.

On the contrary, if the puniſhment were proportioned to the crime; if thoſe who were guilty of a breach of truſt were condemned to labour for the public, the maſter would not heſitate to bring the offender to juſtice, and crimes would not ſo much abound. All circumſtances concur in proving the great truth, that ſevere laws are often productive of crimes.

CHAP.

CHAP. XIX.

Suicide.

THE famous Du Verger de Haurane, Abbé de St. Cyran, who is conſidered as the founder of Port-Royal, wrote a Treatiſe on Suicide,* in the year 1608, which is become one of the ſcarceſt books in Europe.

" The Decalogue," ſays that writer, " enjoins we " ſhould not kill; in which injunction ſelf-murder " ſeems to be underſtood, as well as the murder of " a neighbour; if, therefore, there be caſes in which " it is lawful to kill another, there may be caſes in " which ſuicide may be lawful. But a man ſhould " not attempt his life, until he has conſulted his rea- " ſon. Public authority, the repreſentative of God, " may diſpoſe of our lives. The reaſon of man " may alſo repreſent the wiſdom of the Deity, as it " is a ray of the eternal light."

The Abbé de St. Cyran carries this argument to a great length; and after all it is a ſophiſm. But when he comes to exemplify, and deſcend to particulars, he is not ſo eaſily anſwered. " A man may " kill himſelf," ſays he, " for the good of his prince, " for the good of his country, or for the good of " his parents."

It does not appear, that we could, with juſtice, condemn a Codrus or a Curtius. What prince would preſume to puniſh the family of a man, who had ſacrificed himſelf for his ſervice? What do I ſay? Is there any prince who would dare not to reward ſuch a family? St. Thomas has ſaid the ſame thing before

* It was printed in 12mo. at Paris by Touſſaints du Brai in 1619, with the king's privilege. It ſhould have been placed in the king's library.

the

the Abbé de St. Cyran. But there was no need of St. Thomas, of Bonaventure, nor of Haurane to inform us, that a man who dies for his country deſerves its praiſe.

St. Cyran concludes, that a man may do for himſelf, whatever it may be laudable for him to do for another. The arguments uſed by Plutarch, Seneca, Montaigne, and a hundred other philoſophers, are well known. Indeed the ſubject is exhauſted. I do not pretend to apologiſe for an action which the laws have condemned; but I do not recollect that either the Old or the New Teſtament enjoin a man not to relinquiſh his life, when inſupportable. Suicide was not forbidden by the Roman laws; on the contrary, in a * law of Marcus Antoninus, which was never repealed, it is ordained, "If a brother or a father "(not convicted of any crimes) ſhould put himſelf "to death, either to avoid pain, or being weary of "life, or from deſpair and madneſs—his will, however, ſhall be valid, or his heirs ſhall inherit according to law."

Notwithſtanding this humane law of our maſters, we ordain that the offender ſhould be dragged through the dirt, that a ſtake ſhould be driven through his corpſe; and that his memory ſhould be deemed infamous. We do every thing in our power to diſhonor his family. We puniſh a ſon, becauſe he has loſt his father; and diſtreſs a widow, becauſe ſhe has been deprived of her huſband. We even confiſcate the effects of the deceaſed, and rob the living of what is due to them in juſtice. This cuſtom, among many others, is derived to us from the canon law, which forbids the bleſſing of Chriſtian burial to thoſe who are guilty of ſelf-murder; concluding it is not lawful to inherit on earth from a perſon who has forfeited his inheritance in heaven. The canon law, under

* Jer. Cod. De bonis eorum qui ſibi mortem, Leg. 3. ff. eod.

under the article Penitentia, tells us, that Judas committed a greater crime in hanging himſelf, than in betraying our Lord Jeſus Chriſt.

CHAP. XX.

On a ſpecies of Mutilation.

IN the digeſt of Roman laws, we find a * law of Adrian denouncing death to thoſe phyſicians who ſhould make eunuchs, either by taking out or bruiſing the *teſtes*. The poſſeſſions of thoſe who underwent caſtration were forfeited by the ſame law. Origen ought certainly to have been puniſhed, as he had ſubmitted to this operation from having rigidly interpreted that paſſage of St. Matthew, which ſays, *There be eunuchs which have made themſelves ſo for the kingdom of Heaven's ſake.*

Things changed under the ſucceeding emperors, who imitated the voluptuouſneſs of Aſia; eſpecially in the empire of Conſtantinople, where eunuchs became patriarchs, and generals of armies.

It is the cuſtom at Rome, even in theſe times, to caſtrate young children to qualify them for being muſicians to the Pope; ſo that *caſtrato* and *muſico del Papa* are ſynonimous. The following words were to be ſeen at Naples not long ago, over the doors of certain barbers, *Qui ſi caſtrano maravigliosamente i puti*; "Here boys are caſtrated in a moſt admirable manner."

* *Ad legem Corneliam de ſiccariis.*

CHAP. XXI.

Of Confiſcation; a Puniſhment annnexed to all the Crimes which have been mentioned.

IT is a maxim at the bar, that *the man who forfeits his life, forfeits his property*; a maxim which prevails in thoſe countries where cuſtoms ſerve inſtead of laws. So that, as we have obſerved, the children of a man who puts an end to his life, are condemned to periſh with hunger in the ſame manner with the children of a murderer. Thus a whole family is puniſhed for the fault of one man.

The father of a family is condemned to the gallies for life by an arbitrary ſentence,* either for having harboured a preacher, for hearing a ſermon in ſome cavern or ſome deſart; and his wife and children are reduced to beg their bread.

That juriſprudence which conſiſts in depriving an orphan of ſupport, and in giving to one the poſſeſſions of another, was unknown in the times of the Roman republic. It was firſt introduced by Sylla in his proſcriptions; whoſe rapine one would ſcarcely have thought worthy of imitation. Indeed this law, dictated by inhumanity and avarice, was never adopted by Cæſar, Trajan, or the Antonini, whoſe names are ſtill mentioned with reſpect by all nations; and at laſt, under Juſtinian, confiſcation took place only in caſes of high treaſon. It ſeems, that in times of feudal anarchy, princes and lords not being rich, endeavoured to increaſe their treaſures by the condemnation of their ſubjects; and they eſtabliſhed a revenue by crimes. Their laws being arbitrary, and

* See the edit. of 1724, 14th of May, publiſhed at the deſire of the Cardinal de Fleury and reviſed by him.

the Roman juriſprudence unknown, cuſtoms either cruel or ridiculous prevailed. But at this time, when the power of princes is eſtabliſhed on immenſe and certain riches, there can be no reaſon for ſwelling their treaſures with the inconſiderable wrecks of unfortunate families. They are generally abandoned to the firſt who applies for them. But is it the part of a citizen to feed on the blood of another citizen?

The puniſhment of confiſcation is not admitted in countries where the Roman law is eſtabliſhed, unleſs it be within the juriſdiction of the parliament of Toulouſe. It was not adopted in countries governed by cuſtoms, as thoſe of Bourbon, Berri, Main, Poitou and Bretagne; or it was confined to fixed and immoveable property. It prevailed formerly at Calais, but it was aboliſhed by the Engliſh when they became maſters of it. It ſeems ſtrange that the inhabitants of the capital ſhould be ſubject to ſeverer laws than the people of little towns; but laws have been eſtabliſhed by accident, as cottages have been built in villages without regard to uniformity or regularity.

Who would believe, that in the year 1673, in the moſt brilliant period of the kingdom of France, Omer Talon, the advocate general, expreſſed himſelf in full parliament, on the ſubject of a young lady named Canillac, in theſe words, "God ſays, in the 13th chap-
"ter of Deuteronomy, If thou comeſt into a city
"where idolatry reigneth, thou ſhalt ſurely ſmite the
"inhabitants of that city with the edge of the ſword,
"deſtroying it utterly, and all that is therein; and
"thou ſhalt gather all the ſpoil thereof into the midſt
"of the ſtreet, and ſhalt burn with fire the city, and
"all the ſpoil thereof, for the Lord thy God; and it
"ſhall be a heap for ever; and there ſhall cleave
"nought of the curſed to thine hand.

"In the ſame manner, in the crime of high treaſon,
"the king being intitled to all, the children were de-

" prived of their inheritance. Naboth being profe-
" cuted, *quia male dixerat regi*, " becauſe he ſpoke evil
" of the king," Ahab took poſſeſſion of his effects.
" David being told that Mephiboſheth was in rebellion,
" gave all his poſſeſſion to Siba, who brought him
" the news; *tua ſint omnia que fuerunt Mephiboſheth.*"

The queſtion under conſideration was, who ſhould inherit the paternal eſtate of Mademoiſelle de Canillac, which having been confiſcated on account of her father, was relinquiſhed by the king to one of the officers of the treaſury, and afterwards bequeathed by him to the teſtatrix. In this cauſe, which concerned a young lady of Auvergne, it was, that an advocate general referred to Ahab, king of a diſtrict of Paleſtine, who confiſcated the vineyard of Naboth, after aſſaſſinating the owner with the poignard of juſtice; an action ſo abominable, that it has paſſed into a proverb, and is held up to inſpire men with deteſtation for ſuch marks of tyranny. There was certainly no affinity between the vineyard of Naboth, and the inheritance of Mademoiſelle de Canillac; nor has the murder of Mephiboſheth, the grandſon of Saul, the ſon of Jonathan, the friend and protector of David, or the confiſcation of his effects, any analogy with the will of this lady.

It was with ſuch pedantry; ſuch folly in regard to quotations foreign to the ſubject; with ſuch ignorance of the firſt principles of human nature; with ſuch uncouth and ill-applied prejudices, that juriſprudence has been treated by men who had reputation in their profeſſions. I leave the reader to ſay to himſelf, what it would be unneceſſary I ſhould ſay to him.

CHAP.

CHAP. XXII.

On criminal Procedures, and other Forms.

IF it ſhould ever happen in France, that the laws of humanity ſhould meliorate ſome of our rigorous uſages, without facilitating the commiſſion of crimes, we may hope that thoſe legal proceedings will be reformed, in which our legiſlators have diſcovered too much ſeverity. Our criminal procedure appears only to point at the deſtruction of the accuſed. It is the only principle which is uniform throughout the kingdom. But ſhould not the law be as favourable to the innocent as it is terrible to the guilty?

In England, a man may recover damages from the miniſter who has ordered him to be unjuſtly impriſoned: but in France, an innocent perſon who has been plunged into a dungeon, and has been put to the torture, has no conſolation to hope for, no reparation to expect; he is degraded for ever in ſociety. What the innocent degraded! And why? Becauſe his joints have been diſlocated; a circumſtance which ſhould ſecure him compaſſion and reſpect. The very enquiry concerning crimes, requires ſome ſeverity; it is the hoſtility of juſtice on villainy; but there are generoſity and compaſſion even in war. The brave is always compaſſionate; why ſhould a lawyer be a barbarian?

Let us only compare in ſome points our criminal procedure with that of the Romans.

Among the Romans, the witneſſes were heard publicly in the preſence of the accuſed, who could make anſwers, interrogate them himſelf, or ſuggeſt queſtions to an advocate. Such a procedure was noble and open; it breathed a magnanimity truly Roman.

With

With us, all is conducted ſecretly. A ſingle judge, attended by his ſecretary, examines one witneſs after another. This practice, eſtabliſhed by Francis I. was authoriſed by thoſe commiſſioners who eſtabliſhed the ordonnance of Louis XIV. in 1670. A miſtake only was the occaſion.

In reading the code *de Teſtibus*, it was imagined theſe words *teſtes intrare judicii ſecretum* ſignified, that the witneſſes were interrogated in ſecret: but *ſecretum* here means the judge's chamber or cloſet. *Intrare ſecretum*, to ſignify ſpeaking, or giving evidence ſecretly, would not be good Latin. This part of our juriſprudence therefore is founded on a grammatical ſoleciſm.

Witneſſes are in general taken from the dregs of the people; and when ſhut up with the judge, he cannot find it very difficult to make them ſay what he pleaſes. Theſe witneſſes are heard a ſecond time, but in ſecret; this is called re-examination. If, after this re-examination, they retract their depoſitions, or if they vary in eſſential circumſtances, they are puniſhed as falſe witneſſes. So that if a man of a ſimple character, not very dexterous in the uſe of words, but of an honeſt heart, ſhould recollect that he has ſaid too much or too little; that he has miſunderſtood his judge, or his judge miſunderſtood him; and ſhould recall what he has ſaid from a principle of juſtice, he is puniſhed as a villain, and is often forced to adhere to falſe evidence, merely by the apprehenſion of being puniſhed as if he had perjured himſelf.

By flight the accuſed expoſes himſelf to be condemned, whether the crime be or be not proved. Indeed ſome lawyers have aſſerted, that contempt ſhould not occaſion a man to be condemned, unleſs the crime be clearly proved. But other lawyers, leſs informed, though perhaps they have more authority, are of a contrary opinion; they have ventured to aſſert, that the

the flight of the accuſed is a proof of his guilt; and that the contempt which he ſhewed for juſtice, in refuſing to make his appearance, deſerved the ſame chaſtiſement as if he had been convicted. Thus the innocent may be diſcharged or condemned, according to the legal ſect which the judge may have embraced.

It is a great abuſe of the French juriſprudence, that the reveries, and ſometimes cruel errors of men, are taken for laws, while thoſe men have been deſtitute of information and principles, and have only given their ſentiments for laws.

In the reign of Louis XIV. two ordonnances were made, which are uniform throughout the kingdom. In the firſt, which has civil proceedings for its objects, the judges are prohibited to condemn on default in matters merely civil, when the demand is not made out: but in the ſecond, which regulates criminal proceedings, it is not ſaid, that for want of proofs the perſon accuſed ſhould be diſcharged. Strange! the law ſhould ordain, that a man who is ſued for debt ſhould not be condemned in default, unleſs the debt be proved; but where the life of a man is concerned, it is a queſtion at the bar, whether a perſon is to be condemned when his crime is not proved; and the law does not reſolve the difficulty.

When the accuſed has recourſe to flight, you commence by ſeizing and taking an inventory of his effects. You do not wait until the proceſs againſt him is finiſhed. You have no proofs; you do not know whether he is innocent or guilty; and you begin by putting him to an immenſe expenſe.

You ſay, it is a puniſhment which you inflict on diſobedience of an order to arreſt the accuſed: but does not the extreme rigour of your criminal proceedings tempt men to this diſobedience?

Is a man accuſed of a crime? You firſt ſhut him up in a dreadful dungeon; you do not allow him to have

have any communication with others, and you load him with irons, as if you had actually adjudged him guilty. The witneſſes who ſwear againſt him are heard ſecretly; they are hardly ever obliged to confront the accuſed even for a moment; whereas he ought to be allowed, before the depoſitions are taken, to alledge his objections to the evidence, and to adduce circumſtances againſt it; he ſhould be permitted to produce perſons to ſupport his objections: but the depoſitions againſt him are taken and read, and he is not admitted to invalidate them; for if he ſhould prove, that the witneſſes have exaggerated ſome faults, or have omitted others, or that they have deceived themſelves in ſome details, the fear of puniſhment will oblige them to perſiſt in perjury. If any circumſtances which ſhould have been produced by the accuſed in his interrogatories are reported differently by the witneſſes, this is ſufficient, with judges who are either prepoſſeſſed or ignorant, to condemn an innocent man.

What man is there, whom ſuch procedures will not alarm? What man ſo juſt, as to be ſure he will not be oppreſſed? O ye judges! Would you, that the innocent ſhould not fly? Facilitate to them the means of their defence.

The law ſeems to oblige the magiſtrate to conduct himſelf towards the accuſed rather as an enemy than a judge. The judge has it in his power to order * the accuſed and the witneſs to be confronted, or not, as he thinks fit. It is ſtrange, that ſo neceſſary a circumſtance ſhould be left to his will.

Cuſtom in this caſe ſeems to be in oppoſition to an equivocal law. The parties are confronted: but the judge does not always order in all the witneſſes; he often omits thoſe whoſe charges do not ſeem to him conſiderable, when perhaps a witneſs who has

* *Et ſi beſoin eſt confrontez.* Ordonnance de 1670, art. i. tître 15.

ſaid

ſaid nothing againſt the accuſed in the information, might depoſe in his favour when confronted. A witneſs may have forgotten circumſtances favourable to the accuſed; or the judge might not at firſt have perceived the importance of thoſe circumſtances, or duly recorded them. It is therefore very important, that all the witneſſes ſhould be confronted with the accuſed, and that this circumſtance be not left to the will of any perſon.

If the proceſs be a criminal one, the accuſed is not allowed an advocate, he therefore has recourſe to flight, the very maxims of the bar oblige him to it; but having fled, he may be condemned, whether his crime be or be not proved. A man who is ſued for money is not condemned by default, unleſs his debt be proved: but if a man's life is in queſtion, he may be condemned by default, although his crime be not proved. How! does the law ſet a greater value on money than on a man's life! O ye judges! conſult the pious Antoninus and the good Trajan; they * forbid that an abſent man be condemned.

Your laws permit an extortioner, or a fraudulent bankrupt, to have recourſe to an advocate, and very often a man of honour is deprived of his aſſiſtance. If there be an inſtance in which innocence has been juſtified by means of an advocate, the law which deprives men of ſuch an advantage is evidently unjuſt.

The firſt preſident De Lamoignon ſays, in oppoſition to this law, "that the cuſtom of allowing an advocate or council to thoſe who are accuſed, is not a "privilege allowed by ordonnances and laws, it is a "liberty ariſing from natural right, which is more "ancient than all human laws. Nature teaches every "man, that he ſhould have recourſe to the abilities "of others, when he is not ſufficient to manage his "own concerns; and that he ſhould procure aſſi-

* *Dig. de leg. De abſentibus & l.* 5, *de pœnis.*

" ſtance, when he is not ſtrong enough for his own " defence. Our laws have deprived the accuſed of " ſo many advantages, that it is very neceſſary to " preſerve to them thoſe that remain, and particular- " ly the privilege of council, which is the moſt eſ- " ſential of them. If we compare our proceedings " with thoſe of the Romans and other nations, we " ſhall find none ſo rigorous as thoſe of France, par- " ticularly ſince the ordonnance of 1539. *Proc.* " *Verb. de l'Ord*, p. 163."

They have been extremely rigorous ſince the ordonnance of 1670: but they would be greatly ſoftened, if the majority of the commiſſioners had entertained the ſentiments of Mr. De Lamoignon.

The parliament of Toulouſe has a peculiar cuſtom, in regard to proofs by witneſſes. In other places, demi-proofs are admitted; which, in fact, are but doubts, for we know there are no demi-truths: but at Toulouſe, they admit of one fourthor one eighth of a proof. For example; a hear-ſay may be admitted as a quarter, and another hear-ſay more vague, as an eighth; ſo that eight rumours, which are only the echo of an ill-grounded report, may become a complete proof. It was nearly on this principle, that John Calas was condemned to be broken alive on the wheel. The Roman laws require proofs

Luce meridiane clariores.
Clearer than meridian light.

CHAP. XXIII.

An Idea of ſome Degree of Reformation.

THE magiſtracy is ſo reſpectable, that the only country in which it is venal is inceſſantly praying to be delivered from this evil. It is to be wiſhed, that the civilian might by his merit reach a ſituation to adminiſter that juſtice which he has defended by his application, by his voice, by his writings. Perhaps then we might ſee a regular and uniform juriſprudence ariſing from the happy labours of men.

Are we ever to ſee the ſame cauſe adjudged differently in a province and in the capital? Is it neceſſary that the ſame man ſhould be right in Bretagne and wrong in Languedoc? What do I ſay? There are as many forms of juriſprudence as there are cities. And in the ſame parliament, the maxims of one chamber * are not thoſe of another.

What aſtoniſhing contrarieties in the laws of one kingdom! At Paris, a man who has reſided in the city a year and a day, is reputed a citizen. In Franche Comté, a freeman who remains a year and a day in a houſe in mort-main, becomes a ſlave; his collateral heirs are excluded from inheriting the effects he may have acquired elſewhere, and even his children are reduced to beggary, if they have been a year abſent from the houſe in which the father died. This province is called Franche, but where is its freedom?

If we were to attempt fixing the limits between civil authority and eccleſiaſtical uſages, what endleſs diſputes! Where are thoſe limits? Who can reconcile the eternal contradictions between the exchequer and

* See, on this ſubject, the preſident Bouhier.

the

the adminiſtration of juſtice? In ſhort, why in certain countries are there no motives alledged for decrees? Are men aſhamed to give any account of the reaſons of their adjudications? And why do not thoſe who judge in the name of a ſovereign, preſent their ſentences of death to him, before they put them in execution?

On whatever ſide we turn our eyes, we ſee only contradictions, hardſhips, uncertainties, and arbitrary acts. We ſhould therefore endeavour to perfect thoſe laws on which our lives and our fortunes depend.

FINIS.

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